

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement
Trust Fund between December 28, 2001 and June 30, 2006, go
to http://www.dep.state.fl.us/ under the link or button titled
"Official Notices."

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.265
RULE TITLE: Psychiatric Hospital Inpatient
Services

PURPOSE AND EFFECT: The purpose of this rule is to
implement the Florida Medicaid Psychiatric Hospital Inpatient
Services Program. The program will reimburse psychiatric
hospitals licensed under Chapter 395, F.S. that provide
inpatient psychiatric services to Medicaid recipients age 65 and
older who meet the Medicaid Institutional Care Program
eligibility requirements. The rule incorporates by reference the
Florida Medicaid Psychiatric Hospital Inpatient Services
Coverage and Limitations Handbook, September 2007. The
handbook will describe recipient eligibility, the covered
services, service requirements, and reimbursement that will be
available under the Medicaid Psychiatric Hospital Inpatient
Services Program. The effect of the rule will be to the
implement Florida Medicaid Psychiatric Hospital Inpatient
Services Program and incorporate by reference in the rule the
Florida Medicaid Psychiatric Hospital Inpatient Services
Coverage and Limitations Handbook, September 2007.

SUBJECT AREA TO BE ADDRESSED: Psychiatric Hospital
Inpatient Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE HELD AT THE
DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, June 11, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan
Drive, Conference Room B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT IS: Allison Carver,
Medical/Health Care Program Analyst, Medicaid Services,
2727 Mahan Drive Mail Stop #20, Tallahassee, FL 32308,
414-6249, carvera@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS:

59G-4.265 Psychiatric Hospital Inpatient Services.

(1) This rule applies to psychiatric hospitals licensed under
Chapter 395, F.S. that provide inpatient psychiatric services to
Medicaid recipients age 65 and older who meet the Medicaid
Institutional Care Program eligibility requirements.

(2) All psychiatric hospitals licensed under Chapter 395,
F.S. that provide inpatient psychiatric services to Medicaid
recipients age 65 and older who meet the Medicaid
Institutional Care Program eligibility requirements must be in
compliance with the provisions of the Florida Medicaid
Psychiatric Hospital Inpatient Services Coverage and
Limitations Handbook, September 2007, incorporated by
reference, and the Florida Medicaid Provider Reimbursement
Handbook, Institutional 021, which is incorporated in Rule
59G-4.200, F.A.C. Both handbooks are available from the
Medicaid fiscal agent's website at http://floridamedicaid.
acs-inc.com. Click on Provider Support, and then on
Handbooks. Paper copies of the handbooks may be obtained by
calling the Medicaid fiscal agent at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908,
FS. History--New

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-19.001
RULE TITLE: Percentage of Gross Pilotage
Assessed

PURPOSE AND EFFECT: The Board proposes to review the
existing language in the rule to determine whether changes are
necessary.

SUBJECT AREA TO BE ADDRESSED: Percentage of gross
pilotage to be assessed.

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 FS.

IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE NOTICED IN
THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE
WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn
Barineau, Executive Director, Board of Pilot Commissioners,
1940 North Monroe Street, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-31.001
 RULE TITLE: Fees

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

LAW IMPLEMENTED: 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.0032
 RULE TITLE: Board Approval of CPA Ethics Continuing Education by Providers

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Board Approval of CPA Ethics Continuing Education by Providers.

SPECIFIC AUTHORITY: 120.55(1)(a)4., 455.213(6), 455.2178, 455.2179, 473.304, 473.312 FS.

LAW IMPLEMENTED: 455.213(6), 455.2178, 455.2179, 473.312(1)(a) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.009
 RULE TITLE: Initial Certification in Acupuncture Licensure Fee

PURPOSE AND EFFECT: The purpose and effect is to eliminate duplicate licensure fee requirement language.

SUBJECT AREA TO BE ADDRESSED: Initial Certification in Acupuncture Licensure Fee.

SPECIFIC AUTHORITY: 456.013(2), 460.405 FS.

LAW IMPLEMENTED: 456.013(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-12.009 Initial Certification in Acupuncture Licensure Fee.

~~(1) Any person who is certified for initial licensure shall pay the licensure fee required by subsection 64B2-12.005(2), F.A.C.~~

(2) Any person who is certified for initial certification in Acupuncture shall pay an initial licensure fee of one hundred dollars (\$100.00).

Specific Authority 456.013(2), 460.405 FS. Law Implemented 456.013(2) FS. History—New 3-28-84, Formerly 21D-13.06, Amended 6-22-86, 1-25-88, 4-19-89, Formerly 21D-13.006, 61F2-13.006, Amended 2-20-95, Formerly 59N-13.006, 59N-12.009, Amended 1-18-98, 4-20-99,_____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.007
 RULE TITLE: Director; Limitations and Qualifications

PURPOSE AND EFFECT: The proposed rule amendment clarifies the qualifications of directors.

SUBJECT AREA TO BE ADDRESSED: Directors.

SPECIFIC AUTHORITY: 483.051, 483.805(4) FS.

LAW IMPLEMENTED: 483.041(5), 483.051(1), 483.809, 483.811(2), 483.823(1), 483.824 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial Rewording of Rule 64B3-5.007 follows. See Florida Administrative Code for present text.)

64B3-5.007 Director; Limitations and Qualifications.

(1) All applications for a Director license must have the qualifications for a High Complexity Laboratory Director, listed in 42 CFR 493.1443.

(2) In addition, at least one of the following requirements must be met for specific areas of licensure. In some cases, there are multiple options for meeting the requirements.

<u>Specialty</u>	<u>Option</u>	<u>Education</u>	<u>Training/Experience</u>	<u>Certification</u>
<u>All Specialties</u>	1	<u>Licensed physician (does not require a separate laboratory director license)</u>		<u>Certification in Clinical Pathology by the ABP or AOBP</u>
	2	<u>Licensed physician (does not require a separate laboratory director license)</u>		<u>Certification in the pertinent laboratory specialty by ABIM, AOBIM, ABMM, ABCC, ABNM, AOBNM, ABMG, ABB, ABMLI, ABHI</u>
	3	<u>Licensed physician (does not require a separate laboratory director license)</u>	<u>Four years pertinent clinical laboratory experience (post-graduate), with two years experience in the specialty to be directed</u>	
<u>Histology, Cytology</u>		<u>Licensed physician (does not require a separate laboratory director license)</u>		<u>Certification in Anatomical Pathology or Cytopathology by ABP or AOBP. For dermatopathology only, certification in Dermatopathology by the ABD or AOBP</u>

<u>Oral Pathology Laboratories</u>	<u>Licensed physician or dentist (does not require a separate laboratory director license)</u>	<u>Certification in Anatomical Pathology by ABOP, ABP, or AOBP</u>
<u>Microbiology</u>	<u>Doctoral Degree in a chemical, biological, or clinical laboratory science</u>	<u>Certification in Clinical Microbiology by ABMM, HCLD(ABB) with certification in Microbiology, or CLDir(NCA) as Generalist or with certification in Microbiology</u>
<u>Hematology</u>	<u>Doctoral Degree in a chemical, biological, or clinical laboratory science</u>	<u>HCLD(ABB) in Hematology or CLDir(NCA) as Generalist of with certification in Hematology</u>
<u>Cytogenetics</u>	<u>Doctoral Degree in a chemical, biological, or clinical laboratory science</u>	<u>Certification in Clinical Cytogenetics by ABMG</u>
<u>Serology/Immunology</u>	<u>Doctoral Degree in a chemical, biological, or clinical laboratory science</u>	<u>Certification in Clinical Immunology by ABMLI, HCLD(ABB) with certification in Immunology, or CLDir(NCA) as Generalist</u>
<u>Clinical Chemistry</u>	<u>Doctoral Degree in a chemical, biological, or clinical laboratory science</u>	<u>Certification in Clinical Chemistry by ABCC, HCLD(ABB) with certification in Chemistry, or CLDir(NCA) as Generalist or with certification in Chemistry</u>
<u>Andrology</u>	<u>Doctoral Degree in a chemical, biological, or clinical laboratory science</u>	<u>HCLD(ABB) with certification in Andrology</u>
<u>Embryology</u>	<u>Doctoral Degree in a chemical, biological, or clinical laboratory science</u>	<u>ELD(ABB)</u>
<u>Histocompatibility</u>	<u>Doctoral Degree in a chemical, biological, or clinical laboratory science</u>	<u>Diplomate of the ABHI</u>

Molecular Pathology

Doctoral Degree in a
chemical, biological, or
clinical laboratory science

Certification in Molecular
Pathology by ABCC,
certification in Molecular
Genetics by ABMG, or
HCLD(ABB) with
certification in Molecular
Diagnostics

Specific Authority 483.051, 483.805(4) FS. Law Implemented 483.041(5), 483.051(1), 483.809, 483.811(2), 483.823(1), 483.824 FS. History--New 6-6-85, Formerly 10D-41.67, Amended 3-11-90, Formerly 10D-41.067, Amended 7-1-97, Formerly 59O-5.007, Amended 5-26-98, 3-2-99, 3-24-02, 10-14-02, 4-20-04, 2-23-06,_____.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-7.004
RULE TITLE: Citations

PURPOSE AND EFFECT: In this amendment, the Board proposes to add violations for which citations may be issued.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.073, 456.077 FS.

LAW IMPLEMENTED: 456.077, 468.1295 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #06, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-57.001	Purpose and Intent
67-57.005	Definitions
67-57.010	Fees
67-57.020	Notice of Funding Availability (NOFA)
67-57.030	Membership Application Procedures
67-57.040	Property Standards
67-57.050	HOP Program Restrictions
67-57.060	Eligible Homebuyer Requirements
67-57.070	Homebuyer Loan Process
67-57.080	HOME Regulations

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish procedures for the Homeownership Pool ("HOP") Program by which the Corporation shall administer the application process, determine loan amounts, service loans, and provide purchase assistance to eligible homebuyers under the HOME Investment Partnerships Program (HOME) as authorized by Section 420.5089, F.S. and HUD regulations, 24 CFR § 92.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons.

SPECIFIC AUTHORITY: 420.5089 FS.

LAW IMPLEMENTED: 420.507(23) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, June 8, 2007 (immediately following the Board of Directors Meeting, which begins at 9:00 a.m.)

PLACE: Hyatt Regency Airport, 9300 Airport Blvd., Orlando, FL 32827; (407)825-1234

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Bridget Warring (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bridget Warring, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Vessel Registration and Boating Safety

RULE NO.: 68D-24.109
RULE TITLE: Withlacoochee River Boating Restricted Areas

PURPOSE AND EFFECT: The Withlacoochee River experiences flooding during the spring and summer months of each year and during sever weather events throughout the year.

The flooding poses a real and immediate hazard to boaters on and about the Withlacoochee River, as it is typically a narrow waterway with numerous rock outcroppings and much overhanging vegetation. Because this river forms the county line between Citrus, Hernando, Marion and Sumter counties, enactment and enforcement of local ordinances is not feasible.

During flooding, objects previously well above the water and objects previously on dry land become wholly or partially submerged and create hazards to navigation. These objects include without limitation: waterway markers, bollards and piles, docks and wharves, electrical and telephone wires, utility poles, trees and stumps, fences, dwellings, boat houses, and sheds. The turbulent and muddy waters cause boats to allide dangerously upon submerged objects without warning.

During periods of the highest flooding, closing of portions of this waterway to vessel traffic is necessary for the prevention of deaths, injuries, and damage to vessels. During periods of significant flooding but at less than the highest flood levels, restricting vessel operation to steerageway speed will mitigate the dangers and damages caused by the river conditions during flooding. Limiting vessel operation to speeds no greater than Idle Speed No Wake is necessary to allow vessels additional opportunity to assess the situation and to avoid dangers. Vessel operation at speeds greater than Idle Speed No Wake also endangers persons in or near the river. Floodwaters submerge accustomed footpaths and handholds. These submerged areas could cause persons to slip and fall, perhaps into the river. Under these circumstances, there is a substantial likelihood of injury or death.

This rulemaking action will be developed in consultation and coordination with the governing body of any county or municipality in which the restricted areas will be located and with the United States Coast Guard and the United States Army Corps of Engineers.

SUBJECT AREA TO BE ADDRESSED: Vessel Exclusion zones and Idle Speed No Wake zones on specified areas of the Withlacoochee River as it traverses Citrus, Hernando, Marion, and Sumter Counties.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 19, 2007, 5:30 p.m. – 7:30 p.m.

PLACE: Citrus County Lecanto Government Building, 3600 West Sovereign Path, Room 280, Lecanto, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Tara Alford, Management Analyst, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399 or at (850)410-0656, extension 17169 or tara.alford@myfwc.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-149.003
RULE TITLE: Rate Filing Procedures

PURPOSE AND EFFECT: To publish the maximum medical trend for health insurance rates.

SUBJECT AREA TO BE ADDRESSED: Maximum medical trend.

SPECIFIC AUTHORITY: 624.308(1), 624.424(1)(c), 627.410(6)(b), (e) FS.

LAW IMPLEMENTED: 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 21, 2007, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-149.003	Rate Filing Procedures
69O-149.004	Experience Records
69O-149.005	Reasonableness of Benefits in Relation to Premiums
69O-149.007	Annual Rate Certification (ARC) Filing Procedures

PURPOSE AND EFFECT: To provide guidelines for insurers to ensure the rates charged are reasonable.

SUBJECT AREA TO BE ADDRESSED: Health insurance rates.

SPECIFIC AUTHORITY: 624.308(1), 624,424(1)(c), 627.410(6)(b), (e) FS.

LAW IMPLEMENTED: 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 18, 2007, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-171.002	General Reporting Requirements
69O-171.008	Insurer Experience Reporting – Calendar Year Experience

PURPOSE AND EFFECT: To revise the process to be used for insurer data reporting.

SUBJECT AREA TO BE ADDRESSED: Insurer Reporting Requirements.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.424(1)(c), 627.915(2), 627.918(1) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 12, 2007, 1:30 p.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Belynda Shadoan, Market Research, Office of Insurance Regulation, E-mail: Belynda.Shadoan@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Belynda Shadoan, Market Research, Office of Insurance Regulation, E-mail: Belynda.Shadoan@fldfs.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-204.201	Life Expectancy Providers

PURPOSE AND EFFECT: To adopt forms relating to registration of Life Expectancy Providers.

SUBJECT AREA TO BE ADDRESSED: Life Expectancy Providers.

SPECIFIC AUTHORITY: 626.99175, 626.9925 FS.

LAW IMPLEMENTED: 626.99175 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 5, 2007, 9:30 a.m.

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Bernie Stoffel, Specialty Product Administration, Office of Insurance Regulation, E-mail Bernie.Stoffel@

fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bernie Stoffel, Specialty Product Administration, Office of Insurance Regulation, E-mail Bernie.Stoffel@fldfs.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.099823	Performance Standards for Children Participating in the Voluntary Prekindergarten (VPK) Education Program

PURPOSE AND EFFECT: The purpose of this rule is to adopt education standards for children in the Voluntary Prekindergarten (VPK) Education Program. The effect of the rule will be the adoption of uniform standards that describe what a four-year-old child should know and be able to do at the end of the VPK Program.

SUMMARY: The rule provides for the State Board of Education adoption of performance standards for children participating in the VPK Education Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1002.79(1) FS.

LAW IMPLEMENTED: 1002.67(1) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 19, 2007, 8:30 a.m.

PLACE: Miami, Florida. For exact location please contact Lynn Abbott, (850)245-9661

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shan Goff, Executive Director, Office of Early Learning, Department of Education, 325 West Gaines Street, Suite 1524, Tallahassee, Florida 32399-0400; (850)245-0445

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099823 Performance Standards for Children Participating in the Voluntary Prekindergarten (VPK) Education Program.

Minimum student performance standards adopted by the State Board of Education for children participating in the Voluntary Prekindergarten (VPK) Education Program are contained in the publication "Florida Voluntary Prekindergarten (VPK) Education Standards, Florida Department of Education 2005." The standards incorporated in this document are hereby incorporated by reference in this rule and made a part of the rules of the State Board of Education to become effective with the effective date of this rule. Copies of this publication may be obtained through Florida Institute of Education at the University of North Florida, 12000 Alumni Drive, Jacksonville, Florida 32224-2678 at a price to be established by the Commissioner not to exceed actual costs.

Specific Authority 1002.79(1) FS. Law Implemented 1002.67(1) FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Shan Goff, Executive Director, Office of Early Learning

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jeanine Blomberg, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2007

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.0783	District School Board Exclusive Authority to Sponsor Charter Schools

PURPOSE AND EFFECT: The purpose of this rule is to adopt a rule to implement Section 1002.335, Florida Statutes, relating to granting exclusive authority to sponsor charter schools to school districts. The effect will be a rule to implement existing law.

SUMMARY: This rule provides for the implementation of Section 1002.335, Florida Statutes, relating to granting exclusive authority to sponsor charter schools to school districts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1002.335(14) FS.

LAW IMPLEMENTED: 1002.335 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 19, 2007, 8:30 a.m.

PLACE: Miami, Florida. For exact location, please contact Lynn Abbott, Department of Education 325 West Gaines Street, Room 1514, Tallahassee, FL 32399-0400; (850)245-9661

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carlo Rodriguez, Executive Director, Office of Independent Education and Parental Choice, (850)245-0878

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0783 District School Board Exclusive Authority to Sponsor Charter Schools.

The procedures for applying for exclusive authority to the State Board of Education under provisions of Section 1002.335, Florida Statutes, shall be as follows:

(1) A written resolution adopted by the district school board and indicating intent to retain exclusive authority to authorize charter schools within the geographic boundaries of the district must be submitted by the district school board on or before March 1 of the fiscal year prior to the year exclusive authority is to be in effect. The written resolution shall be submitted to the Agency Clerk for the Department of Education, Room 1514, 325 West Gaines Street, Tallahassee, Florida 32399-0400. Revisions to the initial application for exclusivity which was due March 1, 2007 must be received by the Agency Clerk by the effective date of this rule.

(a) A written description addressing the factors that will be considered by the State Board of Education in making a decision to grant exclusive authority must accompany the district school board resolution.

(b) All submitted documents shall be on 8 1/2 x 11 inch paper, single spaced, one-sided and unbound. Typewritten text must be no smaller than eleven (11) pitch spacing. Margins shall be no less than one inch at the top, bottom, left, and right. Page size, spacing, font size, and margin requirements do not apply to copies of pre-existing documents. The resolution, written description and supporting documents together shall be no more than one thousand (1,000) pages. All pages after the first one thousand (1,000) pages will not be reviewed. One (1) copy of the documents shall be submitted. The page number limit does not apply to copies of all district sponsored charter contracts. One current, unbound, and one-sided copy of each contract must be submitted. The written description shall include a table of contents specifying where the documentation supporting each factor being reviewed is located in the supporting documents. All pages shall be numbered from one (1) to a maximum of one thousand (1000) with the page number appearing on the bottom of each page.

(c) A copy of the resolution, written description, and supporting documentation must be given to each currently operating charter school sponsored by the district on or before submission to the State Board of Education and proof of such action provided to the State Board when submitting the application.

(d) The Department will confirm receipt of the application and will inform the school district if the application fails to meet the procedural requirements of this subsection. The Department will accept a district's revised application if it is received before the deadline as established in subsection (1) of this rule.

(2) Currently operating charter schools sponsored by the district may provide written documentation of concerns or support prior to the State Board of Education granting exclusive authority.

(a) The written documentation must be sent to the district school board on or before submission to the State Board of Education and proof of such action provided to the State Board upon submission of the written documentation.

(b) This written input must be received by the Agency Clerk for the Department of Education, Room 1514, 325 West Gaines Street, Tallahassee, Florida 32399-0400, within fourteen (14) days from the date the copy of application for exclusive authority was received by the charter school.

(c) The written documentation should address issues concerning sponsorship practices by the district school board over its charter schools during the four (4) years prior to the district school board's submission of the application for exclusive authority and be applicable to the review by the State Board of Education.

(d) All submitted documents shall be on 8 1/2 x 11 inch paper, single spaced, one-sided and unbound. Typewritten text must be no smaller than eleven (11) pitch spacing. Margins shall be no less than one (1) inch at the top, bottom, left, and right. Page size, spacing, font size, and margin requirements do not apply to copies of pre-existing documents. The documentation shall be no more than three hundred (300) pages. All pages after the first three hundred (300) pages will not be reviewed. One (1) copy of the documentation shall be submitted. The submitted documents shall include a table of contents specifying which factors are being addressed and where within the supporting documentation they are addressed. All pages shall be numbered from one (1) to a maximum of three hundred (300) with the page number appearing on the bottom of each page.

(e) The Department will confirm receipt of the written input and will inform the charter school if its submission fails to meet the procedural requirements of this subsection.

(3) Before granting exclusive authority to a district school board to sponsor charter schools within the geographic boundaries of the school district, the State Board of Education shall hold a public hearing which shall be noticed in the Florida

Administrative Weekly. At the public hearing, the district and currently operating charter schools sponsored by the district may provide input as to whether the district school board has provided fair and equitable treatment to its charter schools during the four (4) years prior to the district school board's submission of the resolution. Requests to speak must be received by the Agency Clerk for the Department of Education, Room 1514, 325 West Gaines Street, Tallahassee, Florida 32399-0400, seven (7) days prior to the scheduled hearing. Each district will be allowed ten (10) minutes for testimony and one (1) representative from each charter school requesting to speak will be given five (5) minutes each.

(4) Based upon the testimony and according to statutory requirements, should the State Board of Education determine a district has provided fair and equitable treatment to its charter schools during the four (4) years prior to the district school board's submission of the application for exclusive authority, the State Board of Education shall grant exclusive authority to authorize charter schools within the geographic boundaries of the school district to the district school board for one (1) year.

(5) The State Board of Education's review of an application for exclusive authority shall at a minimum include the following:

(a) Compliance with all provisions of Section 1002.33, Florida Statutes as demonstrated by policies, procedures, and other documentation to include the following:

1. Charter school application, review, and appeals.
2. Unlawful reprisal.
3. Sponsor duties.
4. Charter contract, negotiation, and conflict resolution.
5. Charter school performance and accountability.
6. Charter renewal, nonrenewal, and termination.
7. Timely payment and reimbursement of eligible funds to charter schools.
8. Administrative and educational services provided to charter schools.
9. Equal, onsite access to student information systems (including hardware, software, and connectivity) used by other public schools located in the district.
10. Charter school student participation in district interscholastic extracurricular activities as defined in Section 1006.15(3)(d), Florida Statutes, and
11. Background screening of charter school employees.

(b) Compliance with full and accurate accounting practices and charges for central administrative overhead costs as evidenced by:

1. Program cost reports and other clarifying documents.
2. Audits and annual accountability reports submitted for the years covered in the application for exclusive authority, and
3. Invoices and charges to sponsored charter schools for administrative services.

(c) Compliance with requirements allowing charter schools to purchase services at the actual cost to the district as evidenced by:

1. Services provided to charter schools in the district and the associated costs.
2. Explanation of the process of calculating the costs to charter schools, and
3. Explanation of the calculation of actual costs to the sponsor.

(d) Documentation of the absence of a district school board moratorium regarding charter schools and the absence of district wide charter school enrollment limits.

(e) Compliance with valid orders of the State Board of Education related to charter schools as evidenced by policies, correspondence, plans or other documentation showing district adherence.

(f) Provision of assistance to charter schools in meeting their facilities needs by including those needs in local bond issues or otherwise providing available land and facilities that are comparable to those provided to other public school students in the same grade levels within the district as evidenced by:

1. Documentation of financial resources for facilities provided to charter schools and to other public schools in the district.
2. Assistance to charter schools which may include charter school capital outlay.
3. Details regarding the cost of land, facilities, renovation, maintenance, and other allowable uses of capital outlay funds for the district and the amount provided to charter schools, and
4. Annual financial reports and supporting documents regarding assistance to charter schools to meet their facilities needs.

(g) Distribution of a pro rata share of federal and state grants received by the district school board and sent to charter schools as documented by the following:

1. Amount appropriated to charter schools and other public schools in the district, and
2. Rationale used to determine the amounts for charter and other public schools for each state and federal grant.

(h) Provision of adequate staff and resources to serve charter schools authorized by the district school board at a cost that does not exceed the actual cost of the district school board as documented by:

1. An accounting of services provided, and
2. Calculations to show that fees were not more than the actual cost to the district.

(i) Documentation of policies and practices to demonstrate the district does not limit individual charter school enrollments, except as provided by law.

(j) Compliance with the provision of an adequate number of educational choice programs to serve students exercising their right to transfer pursuant to Public Law 107-110, the No Child Left Behind Act of 2001.

(k) Documentation of a history of charter school approval that encourages chartering.

1. Policies, communication, reports, or other documentation to show the district history of the charter school approval process.

2. Appeal history with the Charter School Appeal Commission and the State Board of Education.

(6) The process for evaluating the applications will consist of the following:

(a) The review team shall be appointed by the Commissioner of Education and composed of individuals with knowledge in education, finance, governance, and academic accountability.

(b) The review team shall evaluate each application using the District Exclusive Authority Application Review Rubric, which is hereby incorporated by reference to become a part of this rule. The effective date of the District Exclusive Authority Application Review Rubric shall be the same as the effective date of this rule.

(c) The review team shall review the application for exclusive authority and the charter school input within sixty (60) days of the application deadline as established in subsection (1) of this rule.

(d) The review team's findings will be consolidated and presented to the State Board of Education for consideration.

(7) A grant of exclusive authority will be effective for the fiscal year following the application deadline as established in subsection (1) of this rule. The period of exclusive authority will begin on July 1 (beginning of the fiscal year) of the same calendar year as exclusive authority was granted and end on June 30 (end of the fiscal year) of the next calendar year.

(8) A party may challenge the granting of exclusive authority by filing a notice of challenge within thirty (30) days after the State Board of Education grants exclusive authority and may appear before the State Board to address the issues presented in the challenge.

(a) The notice shall be filed with the Agency Clerk for the Department of Education, Room 1514, 325 West Gaines Street, Tallahassee, Florida 32399-0400, and must be accompanied by a written description detailing the specific basis for the challenge.

(b) At the time of filing notice with the State Board of Education, the challenging party shall provide a copy of the notice of challenge and the specific written description to the district school board that has been granted exclusive authority.

(c) The district school board may appear before the State Board of Education and respond in writing to the challenge. Written responses must be received by the Agency Clerk for

the Department of Education ten (10) days prior to the State Board of Education meeting at which the appeal will be considered by the State Board.

(d) The State Board of Education shall make a determination on the challenge within sixty (60) days after receiving the notice of challenge.

Specific Authority 1002.335(14) FS, Law Implemented 1002.335 FS, History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Steve Adams, Director, Charter Schools, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carlo Rodriguez, Executive Director, Office of Independent Education and Parental Choice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NOS.:	RULE TITLES:
6E-2.002	Institutional Licensure
6E-2.004	Standards and Procedures for Licensure
6E-2.0041	Delivery of Programs Through Nontraditional Assessments, Modes and Methods

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to clarify and provide specificity to provisions related to the criteria and process for licensure.

SUMMARY: The proposed rules are amended to clarify and provide specificity to provisions related to the criteria and process for licensure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.31(2),(3), 1005.34, 1005.39 FS.

LAW IMPLEMENTED: 1005.04, 1005.22(1)(a),(2)(d), 1005.31, 1005.32, 1005.33(1), 1005.34, 1005.39 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 19, 2007, 8:30 a.m.

PLACE: Miami Dade (Contact Sonya Morris for location at (850)245-9614)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Equity and Access at (850)245-0513. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-2.002 Institutional Licensure.

(1) Provisional license.

(a) through (b) No change.

(c) Substantive change. An institution which undergoes a substantive change, as defined in subsection 6E-1.003(55)(52), FAC, while holding an Annual License or a License by Means of Accreditation, shall be granted a Provisional License for a period of time determined by the Commission, except as provided in paragraph 6E-2.002(3)(g), F.A.C. An institution may submit a written request for a return to its previous status or for a new status when conditions set by the Commission have been met. Any limitations on the operation of the institution during the period of provisional licensure will be determined by the Commission when granting the Provisional License. An institution holding a Provisional License shall not request approval of or implement a substantive change until it holds an Annual License or License by Means of Accreditation. The Commission may delegate to the Executive Director, the authority to return institutions to their previous status between Commission meetings, if the Executive Director determines that changes have no negative impact on the institution or the students attending the institution. Such action shall be reported to the Commission at the next meeting for further action.

(d) through (g) No change.

(2) No change.

(3) License by Means of Accreditation.

(a) The chair of the Commission shall appoint a committee to provide recommendations to the Commission regarding the recognition of accrediting agencies. This committee shall be composed of persons who represent a cross-section of institutions holding an Annual License or extension thereof, or a License by Means of Accreditation. The chair of the Commission shall appoint the chair of the committee. The committee shall meet at the request of the Commission chair. Any member of the accreditation review committee whose institution is accredited by, or who is personally affiliated with, an accrediting agency being reviewed shall not vote on recommendation of that accrediting agency.

1. The committee shall evaluate applications of accrediting agencies recognized by the U.S. Department of Education to provide institutional accreditation for institutions licensed in Florida offering primarily residential programs.

2. No change.

(b) through (h) No change.

Specific Authority 1005.22(1)(e), 1005.31(2), (3) FS. Law Implemented 1005.22(1)(o), (2)(d), 1005.31, 1005.32, 1005.33 FS. History—Repromulgated 12-5-74, Formerly 6E-4.01(1)(f)-(i), Readopted 11-11-75, Amended 2-6-78, 5-7-79, 10-13-83, Formerly 6E-2.02, Amended 11-27-88, 11-29-89, 10-19-93, 4-2-96, 4-11-00, 1-7-03, 12-23-03, 2-23-05, 7-10-06, _____.

6E-2.004 Standards and Procedures for Licensure.

Institutions applying for a license or moving to a new level of licensure shall provide all required information to the Commission in English. Institutions providing information to students in a language other than English must retain a translation certifying the accuracy of the language of the documents in English. All information and documentation submitted pursuant to the provisions of these rules shall be accompanied by certification signed by the chief administrative officer of the institution, affirming that the information and documentation submitted is accurate. Any application or review which is not substantially complete shall be returned to the institution with a request to complete and resubmit the material.

(1) through (3) No change.

(4) Standard 4: Educational programs and curricula. The following standards shall apply to all institutions licensed by the Commission for Independent Education, except as expressly stated otherwise.

(a) through (d) No change.

(e) For each course to be offered, a syllabus or course outline, required equipment and supplies, and a list of competencies required for successful completion of the course shall be developed by qualified faculty and be provided in writing for all students no later than the first meeting of each class. A copy of these documents shall be kept in the institution's files and be made available for inspection by representatives of the Commission.

(f) through (i) No change.

(j) Transferability of credits. At least 25 percent of the credits or hours required for completion of a program must be earned through instruction taken at the institution awarding the credential, unless a different standard has been adopted by the recognized accrediting body accrediting the institution, or by a governmental agency whose policies apply to the institution. This standard shall not apply if any of the training was taken at accredited institutions as defined in Section 1005.02(1), F.S., while the student was a member of the U.S. armed services. Units or credits applied toward the award of a credential may be derived from a combination of any or all of the following:

1. Units or credits earned at and transferred from other postsecondary institutions, when congruent and applicable to the receiving institution's program and when validated and confirmed by the receiving institution.

2. Successful completion of challenge examinations or standardized tests demonstrating learning at the credential level in specific subject matter areas.

3. Prior learning, as validated, evaluated, and confirmed by qualified instructors at the receiving institution.

(k) Any clinical experience, internship, externship, practicum, and other such formal arrangement for which an institution offers credit toward completion of a program, shall be under the supervision of the institution. Written agreements shall be executed between the institution and the entity providing the experience prior to obtaining program approval, delineating each party's responsibilities, the number of hours to be worked by the student, the types of work to be done by the student, the supervision to be given the student, and the method of evaluating the student's work and certifying it to the institution as satisfactory. If such experiences are required for the completion of a program, it is the responsibility of the institution to make prior arrangements for each student enrolled in the program to participate in the necessary experience within the agreed and documented length of time required for completion of and graduation from the program; and the institution's enrollments shall be based upon the availability of qualified clinical experiences, internships, externships, or practicums to serve all students.

(l) No change.

(m) The following instructional program standards apply to nondegree diplomas:

1. Program specifications: The credential offered shall be a diploma or certificate. The duration of the program shall be appropriate for mastery of the subject matter or skills needed to pursue the occupation for which the student is being trained. There are no general education requirements.

2. through 4. No change.

(n) through (o) No change.

(p) The following instructional program standards apply to bachelor's degrees:

1. Program specifications: The credential offered shall be the Bachelor of Science Degree, Bachelor of Arts Degree, or other baccalaureate degree title considered by the Commission to be appropriate and not misleading. The duration of the program shall be a minimum of 120 semester credit hours, 180 quarter credit hours, or the recognized clock hour equivalent. The required general education component for a Bachelor of Science degree shall be a minimum of 30 semester credit hours, 45 quarter credit hours, or the recognized clock hour equivalent. The required general education component for the Bachelor of Arts degree shall be a minimum of 45 semester credit hours, 67.5 quarter credit hours, or the recognized clock hour equivalent. The general education requirements for other

bachelor's degrees shall be appropriate to the specific degree. Applied general education shall not be utilized to fulfill this requirement. All general education courses must meet the definition given in subsection 6E-1.003(36)(33), F.A.C. Unless otherwise required by the accrediting agency, a minimum of 15 of the required general education credit hours or the recognized clock hour equivalents must be obtained at the bachelor's level.

2. through 4. No change.

(q) through (r) No change.

(5) No change.

(6) Standard 6: Finances.

All institutions must demonstrate that the financial structure of the institution is sound, with resources sufficient for the proposed operations of the institution and the discharge of its obligations to the students. To demonstrate this, the school shall provide the following:

(a) No change.

(b) Annual License, Extended Annual License, or Annual Review:

1. No change.

2. If an independent postsecondary educational institution earns less than \$100,000 gross tuition revenue per the institution's fiscal year, the institution shall provide both a ~~compiled~~ financial statement of the institution and of the controlling principles. The financial statement shall be compiled, reviewed, or audited by an independent certified public accountant. These statements must demonstrate sufficient resources to ensure appropriate institutional development.

3. Non-Florida corporations having one or more Florida location shall provide a profit and loss statement for each location in order to assess the financial stability of each individual location.

(c) No change.

(7) Standard 7: Faculty.

(a) Non-Degree Diploma Programs:

1. Verification of Credentials. Institutions shall maintain evidence of the credentials that qualify faculty members to teach their assigned courses. All faculty files shall include a resume or detailed application clearly reflecting the instructor's educational and work experience. In addition, official transcripts for all degrees held by all faculty members shall be on file and available to the Commission upon request at each location and translated into English. Institutions shall also maintain copies of other documents which reflect the instructor's qualifications to teach, such as copies of licenses and certifications.

2. Faculty Qualifications. These standards shall apply to all full-time, part-time and adjunct faculty.:

a. Institutions whose graduates must pass state, federal or other licensing examinations before being licensed to practice their vocation, technology, trade or business must provide

~~evidence that each instructor teaching in that field holds a current and valid Florida occupational license in the occupation being taught. Any general education and academic courses must be taught by instructors who possess at least a bachelor's degree and appropriate coursework in the assigned subject from an accredited college or university.~~

~~b. All other courses shall be taught by instructors who possess a bachelor's degree and appropriate coursework in the assigned subject from an accredited college or university; or who have completed postsecondary training in either an accredited college or a state licensed school in the subject to be taught, plus two years of job experience related to the subjects to be taught; or who have completed a minimum of three years of successful job experience directly related to the subjects being taught. For all non-degreed faculty, the burden of proof is on the institution to demonstrate instructor competence in the subjects taught. Instructors shall have completed post-secondary training in either a state licensed school or a college accredited by an accrediting agency recognized by the USDOE plus one year of job experience related to the subjects taught; or have completed a minimum of three years of successful job experience directly related to the subjects taught.~~

~~e. Institutions whose graduates must pass state, federal or other licensing examinations before being licensed to practice their vocation, technology, trade or business must provide evidence that each instructor teaching in that field holds a current and valid Florida occupational license in the occupation being taught.~~

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for ~~of~~ renewal of licensure.

4. No change.

(b) Occupational Associate Degrees:

1. Verification of Credentials. Institutions must maintain evidence of the credentials that qualify faculty members to teach their assigned courses. All faculty files must maintain a resume or detailed application clearly reflecting the instructor's educational and work experience. In addition, official transcripts for all degrees held by all faculty members shall be on file and shall be available to the Commission upon request at each location and translated into English. Institutions shall also maintain copies of other documents which reflect the instructor's qualifications to teach, such as copies of licenses and certifications.

2. No change.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for ~~of~~ renewal of licensure.

4. No change.

(c) Academic Associate Degrees:

1. Verification of Credentials. Institutions must maintain evidence of the credentials that qualify faculty members to teach their assigned courses. All faculty files must maintain a resume or detailed application clearly reflecting the instructor's educational and work experience. In addition, official transcripts for all degrees held by all faculty members shall be on file and shall be available to the Commission upon request at each location and translated into English. Institutions shall also maintain copies of other documents which reflect the instructor's qualifications to teach, such as copies of licenses and certifications.

2. No change.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for ~~of~~ renewal of licensure.

4. No change.

(d) Bachelor's Degrees:

1. through 2. No change.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for ~~of~~ renewal of licensure.

4. No change.

(e) Master's Degrees:

1. through 2. No change.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for ~~of~~ renewal of licensure.

4. No change.

(f) Doctoral Degrees:

1. through 2. No change.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for ~~of~~ renewal of licensure.

4. No change.

(8) No change.

(9) Standard 9: Physical Facilities. All institutions and physical facilities, regardless of the level of credentials offered, shall comply with the following standards:

(a) through (b) No change.

(c) Each institution, including all physical facilities, plant shall meet the general tests of safety, usefulness, cleanliness, maintenance, health, lighting, ventilation and any other

requirements conducive to health, safety and comfort. Each institution shall provide evidence of compliance with zoning, fire, safety and sanitation standards issued by all applicable regulatory authorities for all instructional and student housing facilities.

(d) Each institution shall maintain the necessary supplies and equipment for the students enrolled and programs conducted.

(10) No change.

(11) Standard 11: Publications and Advertising.

(a) No change.

(b) Catalog.

1. No change.

2. Each institution shall publish and provide to each enrolled student a catalog in written or electronic form. Written catalogs shall be professionally printed and bound. If electronic catalogs are also used, the two versions shall contain the same information, except for updates that may be provided more quickly in electronic versions. The catalog shall constitute a contractual obligation of the school to the student and shall be the official statement of the school's policies, programs, services, and charges and fees. The catalog shall include, at a minimum, the following information:

a. through g. No change.

h. A listing of all faculty indicating degrees held, ~~if applicable,~~ and institutions or agencies awarding the credentials degrees;

i. through m. No change.

n. A description of the curricula for all programs offered, including for each: a statement of the objective or purpose of the program; an accurate and complete listing of the courses included in each program, each with a unique identifying number and title; identification of courses that are general education courses, if applicable; the credit or clock hours awarded for each course subject; the total credits or clock hours and grades required for satisfactory completion of the program; requirements for certification, licensing or registration in the program career field, as applicable; and any additional or special requirements for completion;

o. through ee. No change.

3. No change.

(c) No change.

(12) No change.

Specific Authority 1005.22(1)(e), 1005.31(2), (3), 1005.34, 1005.39 FS. Law Implemented 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS. History—Repromulgated 12-5-74, Formerly 6E-3.01(1), Readopted 11-11-75, Amended 3-7-77, 5-7-79, 10-13-83, Formerly 6E-2.04, Amended 11-27-88, 11-29-89, 12-10-90, 10-19-93, 4-2-96, 4-11-00, 1-7-03, 4-5-04, 5-24-04, 7-20-04, 5-19-05, 7-10-06,_____.

6E-2.0041 Delivery of Programs Through Nontraditional Assessments, Modes and Methods.

(1) Introduction. In addition to its responsibility for the maintenance of high standards of quality, the Commission also serves to encourage responsible innovation in postsecondary education to ~~meet met~~ societal needs for creatively designed programs delivered in nontraditional ways. It is the intention of the Commission that its standards and procedures shall foster the development of quality innovative programs and emerging new fields of study, and shall not unreasonably hinder educational innovation and competition.

(a) through (b) No change.

(c) In addition to providing to the Commission the documentation required for each standard contained in Rule 6E-2.004, F.A.C., showing how the intent of each standard will be met in the nontraditional program or delivery system, the institution shall also furnish for each course to be offered:

1. A ~~an~~ detailed inventory of equipment and supplies materials to be provided to each student;

2. A detailed description of how each program will be conducted, including submission of detailed course outlines ~~or syllabi~~, procedures for distribution of materials, examination and evaluation of student work, timely response to students' questions and comments, record keeping, appropriate student services, and technical support.

(d) Institutions holding license by means of accreditation as defined in subsection 6E-2.002(3), F.A.C., Section 1005.02(1), Florida Statutes, by an ~~accrediting agency recognized by the U.S. Department of Education to deliver nontraditional education,~~ may substitute proof of such accreditation, in good standing, for the ~~above~~ requirements of Rule 6E-2.0041, F.A.C.

(2) through (8) No change.

(9) Laboratory experiences. In the case of courses in the experimental or clinical sciences, or other courses requiring hands-on experience, each licensed institution wishing to offer nontraditional programs shall document to the Commission prior to program approval, that arrangements have been made to ensure that the requisite laboratory, field, or equivalent experience is available to and used consistently by every enrolled student. Such experience shall be documented in the student's file, and shall occur under appropriate supervision and meaningful evaluation of the competency outcomes.

(10) No change.

(11) Student records.

(a) Institutions wishing to offer nontraditional programs or courses shall maintain a file for each student and shall be available to the Commission upon request at each location and translated into English, and conforming to the general requirements of Rule 6E-2.004, F.A.C., and contain the following:

1. through 2. No change.

(b) No change.

(12) No change.

Specific Authority 1005.22(1)(e)1., 1005.31(2), (3) FS. Law Implemented 1005.31 FS. History–New 10-13-83, Formerly 6E-2.041, Amended 11-27-88, 6-20-95, 5-25-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Peter Crocitto, Chair, Commission for Independent Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 8, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2007

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-19.001
RULE TITLE: Percentage of Gross Pilotage Assessed

PURPOSE AND EFFECT: The proposed rule amendment is intended to increase the gross pilotage assessment.

SUMMARY: The proposed rule amendment increases the gross pilotage assessment from .35% to .75%.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-19.001 Percentage of Gross Pilotage Assessed.

(1) The Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state ~~seventy-five hundredths~~ ~~thirty-five hundredths~~ of one percent (.75%) (~~.35%~~) of the gross amount of pilotage earned by said pilots during each year. For the purposes of said assessment, the gross amount of pilotage earned shall be the amount of money collected by each pilot or by each entity of which the pilot is a member for piloting which shall include and not be limited to payment for piloting vessels to and from ports of this state, docking or undocking vessels, shifting vessels, running lines, delivering orders at sea, cancelled orders, boat service, detention, pilots being carried to sea, anchoring vessels, and any other related services rendered. Funds collected due under this are to be made payable to the Board and paid by the fifteenth of the following month. When received, the funds are paid into the Professional Regulation Trust Fund as created within the Department.

(2) No change.

THIS RULE SHALL TAKE EFFECT JULY 1, 2007.

Specific Authority 310.131, 310.185 FS. Law Implemented 310.131 FS. History–New 2-5-76, Amended 1-19-77, 1-1-78, 12-7-78, 11-1-81, 6-8-82, 8-9-82, 7-31-83, Formerly 21SS-3.01, Amended 5-30-89, 2-19-90, 12-30-91, 12-2-92, Formerly 21SS-3.001, 21SS-19.001, Amended 3-20-94, 1-5-95, 1-30-96, 3-17-96, 11-21-96, 8-25-97, 1-26-99, 1-31-01, 8-1-02, 7-8-03, 2-17-05, 10-02-05, 2-1-06, 5-1-06, 7-1-06, 1-1-07, 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-602.200, 62-602.230, 62-602.250, 62-602.270, 62-602.300, 62-602.350
RULE TITLES: Definitions, Approval of Residence or Correspondence Courses, Criteria for Determining Eligible Experience, Eligibility for Operator Examinations, Qualifications for Operator Licensure, Approval of Residence or Correspondence Courses

62-602.360	Licensing Requirements for Non-Florida Operators
62-602.410	Applications for Examination
62-602.420	Applications for License
62-602.430	Application Processing for Examinations and License
62-602.450	Notification to Applicants for Examinations
62-602.500	Examination Administration
62-602.560	Candidates' Post-Exam Review
62-602.570	Formal Administrative Hearing Petition and Pre-Hearing Review Request
62-602.580	Use of Operator Examinations
62-602.600	Fees for Operator Examinations and Licensure
62-602.650	Duties of Operators
62-602.660	Technical Manuals
62-602.700	Operator Licensing
62-602.710	Renewal of Operator Licenses
62-602.720	Inactive Status of License
62-602.800	Grounds for Disciplinary Proceedings
62-602.850	Disciplinary Guidelines
62-602.870	Suspension and Revocation of Operator License
62-602.880	Consecutive Public Water System Operator Licenses
62-602.900	Forms for the Operator Certification Program

PURPOSE AND EFFECT: The Department is establishing licensure requirements and procedures for water distribution system operators. Also, the Department is making clarifications and changes to current licensure requirements and procedures for water or domestic wastewater treatment plant operators.

SUMMARY: Rule 62-602.200, F.A.C., is being amended to clarify, change, or add definitions of words, phrases, and terms used in Chapter 62-602 and Rule 62-602.230, F.A.C., is being amended to specify how the Department will approve training courses for water distribution system operators and treatment plant operators; to eliminate the requirement for residence courses to be affiliated with an academic institution of the Florida Department of Education; and to eliminate the requirement for instructors of residence courses to be a licensed operator. Rule 62-602.250, F.A.C., is being amended to describe eligible water distribution system operator experience and is being amended to indicate that treatment plant operator experience may be obtained as an employee, volunteer, or contractor and may be obtained at a plant or an electronic control system. Rule 62-602.270, F.A.C., is being amended to add exam eligibility requirements for water distribution system operators. Rule 62-602.300, F.A.C., is being amended to specify qualifications for licensure of water

distribution system operators. Rule 62-602.350, F.A.C., is being repealed because it is superseded by Rule 62-602.230, F.A.C., Rule 62-602.360, F.A.C., is being amended to establish licensing requirements for water distribution system operators licensed in other states and is being amended to give operators licensed in other states one opportunity to pass an exam without having to complete a training course. Rule 62-602.410, F.A.C., is being amended to add application procedures for water distribution system operator exams and is being amended to eliminate language that allows persons to apply for an operator exam and license at the same time. Rule 62-602.420, F.A.C., is being amended to add application procedures for water distribution system operator licenses. Rule 62-602.430, F.A.C., is being amended to eliminate language that allows persons to apply for an operator exam and license at the same time. Rule 62-602.450, F.A.C., is being amended to clarify that only applicants approved by the Department to take an exam will be notified about the exam. Rule 62-602.500, F.A.C., is being amended to eliminate reference to outdated and unnecessary Department manuals. Rule 62-602.560, F.A.C., is being amended to establish a time limit for post-exam reviews; to specify what documents examinees will be given during post-exam reviews; to state that challenges of exam questions must be submitted in writing during post-exam reviews; and to state that, after a meritorious challenge of an exam question, the Department will regrade only the exams of those examinees who failed but scored a 65 percent or higher. Rule 62-602.570, F.A.C., is being amended to give examinees the opportunity to petition for an administrative hearing within 21 days after the date the Department sends to the examinee the Department's determination that an exam question challenge is without merit and is being amended to state that the Department will issue an amended grade notification letter if it discovers during preparation for an administrative hearing that credit should be awarded for an exam question. Rule 62-602.580, F.A.C., is being amended to state that the Department will use operator examinations developed by or for the Department or available national operator examinations and is being amended to add criteria for national operator examinations. Rule 62-602.600, F.A.C., is being amended to add exam fees, licensure fees, and license renewal fees for water distribution system operators; to eliminate language allowing persons to apply for an operator exam and license at the same time; and to eliminate the opportunity for examinees to request hand scoring of an exam because repeat electronic scoring is conducted. Rule 62-602.650, F.A.C., is being amended to add the duties of water distribution system operators; to clarify the duties of treatment plant operators; to require a separate operation and maintenance (O&M) log for each water or wastewater treatment plant; to add approval criteria and procedures for electronic treatment plant O&M logs; to require operators to note in treatment plant O&M logs when they report emergency/abnormal conditions; and to require, beginning

May 1, 2011, an O&M log for each water distribution system. Rule 62-602.660, F.A.C., is being amended to list the latest edition of referenced operation manuals; to reference five new operation manuals; and to eliminate reference to design and construction manuals and two obsolete operation manuals. Rule 62-602.700, F.A.C., is being amended to make a minor clarification. Rule 62-602.710, F.A.C., is being amended to add continuing education requirements for water distribution system operators and is being amended to add new topics for continuing education. Rule 62-602.720, F.A.C., is being amended to make minor clarifications. Rule 62-602.800, F.A.C., is being amended to establish grounds for disciplinary proceedings for water distribution system operators. Rule 62-602.850, F.A.C., is being amended to establish disciplinary guidelines for water distribution system operators; to increase the maximum penalty for submitting false information; to specify a recommended penalty for failure to perform treatment plant operation or water distribution system operation in a manner consistent with standard operating practices; and to recommend a penalty for failure to comply with any Department order previously entered in a disciplinary hearing. Rule 62-602.870, F.A.C., is being amended to establish grounds for suspension or revocation of water distribution system operator licenses. Rule 62-602.880, F.A.C., is being amended to state that the Department will no longer issue consecutive public water system operator licenses and will convert all existing consecutive public water system operator licenses to Level 4 water distribution system operator licenses. Rule 62-602.900, F.A.C., is being amended to add application forms for water distribution system operator exams and licenses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs has been prepared. The Department believes that the licensure requirements and procedures it is establishing for water distribution system operators constitute the lowest cost regulatory alternative for meeting Florida Statutes and the U.S. Environmental Protection Agency's "Final Guidelines for the Certification and Recertification of the Operators of Community and Nontransient Noncommunity Public Water Systems" and for maintaining consistency with current licensure requirements and procedures for water or domestic wastewater treatment plant operators. Also, the Department believes that the changes it is making to current licensure requirements and procedures for water or domestic wastewater treatment plant operators will create minimal additional regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 403.869, 403.872 FS.

LAW IMPLEMENTED: 403.182, 403.1842, 403.8532, 403.862(1)(c), 403.865, 403.866, 403.867, 403.869, 403.871, 403.872, 403.873, 403.874, 403.875, 403.875(1)(a), 403.876 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 20, 2007, 10:00 a.m.

PLACE: Room 609, Twin Towers Office Building, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Virginia Harmon, Department of Environmental Protection, Drinking Water Section (MS 3520), 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8630. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Virginia Harmon, Department of Environmental Protection, Drinking Water Section (MS 3520), 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8630

THE FULL TEXT OF THE PROPOSED RULES IS:

62-602.200 Definitions.

For the purposes of this chapter, the following words, phrases, or terms shall have the following meaning ~~be defined as follows.~~

(1) "Approved County Health Department" means a county health department designated by the Department of Health and approved by the Department of Environmental Protection as having a qualified sanitary engineering staff to perform the duties described in Section 403.862(1)(c). F.S.

(2)(+) "Approved training course" means a course that has received written approval from the Department for the training of ~~water or wastewater~~ operators as described in Rule 62-602.230, F.A.C.

(3) "Automatic control system" means an on-site computerized system with sensors and programs that can adjust and control domestic wastewater or water treatment plant equipment and processes over the normal range of expected operating conditions without operator assistance.

(4)(2) No change.

(5) “Delegated local program” means any county, municipality, or combination thereof that has established, and administers, a pollution control program approved by the Department of Environmental Protection in compliance with Section 403.182, F.S.

(3) through (4) renumbered (6) through (7) No change.

(8) “Electronic control system” means a comprehensive automatic control system plus electronic surveillance system along with capability for manual adjustment and control of domestic wastewater or water treatment plant equipment and processes via a computerized system at a central or off-site location that is staffed by a Class C or higher treatment plant operator 24 hours per day and seven days per week.

(9) “Electronic surveillance system” means a system that monitors operation of a domestic wastewater or water treatment plant and transmits the results of such monitoring by electronic means to a central or off-site location. The use of a telephone for communication between the lead/chief operator and plant personnel is not considered electronic surveillance.

(10)(5) “Experience” means employment either as an employee, or volunteer, or contractor at in a public drinking water or domestic wastewater treatment plant or electronic control system performing the duties described in subsections 62-602.250(1) and (2), F.A.C., or means employment as an employee, volunteer, or contractor on or for a water distribution system performing the duties described in subsection 62-602.250(7), F.A.C. Employment at an industrial treatment wastewater plant using similar water or wastewater treatment processes similar to those used at drinking water or domestic wastewater treatment plants will qualify as water or domestic wastewater treatment plant operator experience and will be approved by the Department if the criteria in subsection 62-602.250(3)(4) or (4)(5), F.A.C., are met.

(6) through (7) renumbered (11) through (12) No change.

(13)(8) “Operator” means, for the purpose of this chapter, any person who has an active license issued, under this chapter, by the Department. License classes and Classification levels are Class A, B, C, and D for treatment plant operators and Level 1, 2, 3, and 4 for water distribution system operators.

(14)(9) No change.

(15)(10) “Probation letter” means a letter reprimanding the operator for failure to comply with the provisions of Rule 62-602.650, F.A.C. This letter shall initiate up to a two-year probation wherein the operator must complete one additional CEU. The letter shall set forth with specificity the allegations of fact that justify the Department’s proposed actions. Within 21 days after receipt of notification, the person affected may petition for an administrative hearing under Sections 120.569 and 120.57, F.S. An additional violation of a similar nature or failure to complete the additional CEU shall result in the suspension of the license for two years.

(16) “Public water system” or “PWS” means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A PWS includes: any collection, treatment, storage, or distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under control of the operator of such system but used primarily in connection with such system. A PWS does not include any special irrigation district. A PWS is either a community water system or a non-community water system.

(17)(11) “Standard operating practice” means effective and competent treatment plant or water distribution system operation that which is consistent with the existing treatment plant or water distribution system design, the existing treatment plant and operations and maintenance manual(s), manufacturer’s equipment manuals, specifications, professionally accepted treatment plant operation procedures as contained in the technical manuals listed in Rule 62-602.660, F.A.C., and other applicable Department rules. This definition applies to functions that which directly affect treatment plant or water distribution system operations and that which can be reasonably controlled by the operator.

(12) through (13) renumbered (18) through (19) No change.

(20) “Water distribution system” means those components of a regulated public water system used in conveying water for human consumption from the water treatment plant to the consumer’s property, including pipes, tanks, pumps, and other constructed conveyances.

(21)(14) No change.

Specific Authority 403.869 FS. Law Implemented 403.182, 403.862(1)(c), 403.865, 403.866, 403.867, 403.869 FS. History—New 12-30-99, Amended 2-6-02, _____.

62-602.230 Approval of Residence or Correspondence Courses.

Educational courses for training of water and wastewater operators shall be approved by type and class or level of training provided. The Department shall approve operator training courses that have a whose course content and curriculum meeting established Florida Department of Education (DOE) standards as provided in the Department’s Water, Wastewater, & Distribution Operator Knowledge Base Manual 2007, hereby adopted and incorporated by reference. A list of approved courses and performance standards can be found in DOE documents number 0175.050603, “Water Treatment Technologies,” and 0715.050604, “Wastewater Treatment Technologies,” July 1999, incorporated herein by reference. Copies of this these documents may be obtained

from the Department of Environmental Protection, Operator Certification Program, Mail Station 3506, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) Residence courses ~~shall only be approved if affiliated with an academic institution of the Florida Department of Education~~, shall be approved ~~granted~~ for two years; and can be re-approved upon request. ~~Residence courses shall not be approved for less than the recommended classroom hours shown in the standard curriculum outlines. The course shall implement the Department of Education curriculum frameworks and student performance standards for training of drinking water or domestic wastewater operators. The application by the academic institution for approval of a residence course shall contain the following:~~

(a) Title of the course, the type and class or level of the course, material, and the total classroom hours;

(b) A statement describing that the state approved curriculum and materials that will be used;

~~(c) A statement setting forth the obligations and responsibilities of the instructor and the institution offering the course;~~

~~(c)(d)~~ A statement that the course will meet the Department standards as provided in the Department's *Water, Wastewater, & Distribution Operator Knowledge Base Manual 2007* of Education approved training objectives for the type and class or level of the course offered; and

~~(d)(e)~~ A statement of the Qualifications, obligations, and responsibilities of the primary instructor, who shall be a certified operator at a level higher than the level of the proposed course, or be a certified operator who has been certified at the same level as the proposed course for a minimum of two years. The primary instructor is responsible for developing or reviewing the course curriculum and ensuring the curriculum meets Department standards as provided in the Department's *Water, Wastewater, & Distribution Operator Knowledge Base Manual 2007*. The primary instructor may have additional experts assist with or instruct areas of specialized training. Primary instructors shall sign all certificates of completion and notify the Department when a change occurs in the primary instructor of an approved course.

(2) Residence courses shall not be approved unless an application as described in subsection (1) above is submitted more than 60 days before the first day of class. ~~Residence courses shall use the standard curriculum outlines. Copies of the standard curriculum outlines are available from the Department of Environmental Protection at the Operator Certification Program Office, Mail Station 3506, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.~~

(3) Approval for a correspondence course shall be for as long as the materials are current and applicable to the training needed by Florida operators. The Department shall review the materials every two years to determine if the course is current.

Approval of correspondence courses only shall ~~only~~ be granted by the Department for courses that meet the standards in the Department's *Water, Wastewater, & Distribution Operator Knowledge Base Manual 2007* curriculum frameworks of the Florida Department of Education. The publisher or provider of a correspondence course shall submit copies of the text and materials, including tests, to the Department for approval. The application shall outline how the provider will interact with the student, how many lessons will be contained in the course, how much time the student is expected to spend on the course, how successful completion of the course will be indicated, and how frequently the course will be revised to reflect changing technology or new techniques of treatment. The provider of the course shall notify the Department when revisions are made; and shall provide the Department with a copy of the revised materials.

(4) No change.

Specific Authority 403.869, 403.872 FS. Law Implemented 403.872 FS. History--New 2-6-02, Amended _____.

62-602.250 Criteria for Determining Eligible Experience.

(1) Experience necessary for treatment plant operators to meet the requirements of Rule 62-602.300, F.A.C., shall include performance of on-site process control and trouble shooting action with the treatment process as described listed in paragraph (a) below while working at a domestic wastewater or water treatment plant or electronic control system as an employee, volunteer, or contractor. Experience listed in paragraph (b) below while working for a permittee or supplier of water as an employee, volunteer, or contractor also can also be included for part of the documented experience if the experience described listed in paragraph (a) predominates.

(a) No change.

(b) Water distribution system operation and maintenance as described in subsection 62-602.250(7), F.A.C., sSample collection and analysis, electronic surveillance system monitoring, and plant operation and maintenance, and solids handling.

(2) For the Class A license, persons can use periods of employment as an direct on-site supervisor or superintendent of on-site operators at a treatment plant or electronic control system can be used.

(3) through (4) No change.

(5) Experience required for the treatment plant operator license shall be acquired in the type of treatment, in either wastewater or drinking water, for which a license is requested. Experience in treatment of wastewater for reuse shall be counted as wastewater experience.

(6) Experience for treatment plant operators excludes:

(a) through (d) No change.

(e) Experience limited solely to driving a sludge truck, monitoring an electronic surveillance system, facility maintenance, or laboratory work; and

(f) No change.

(7) Experience necessary for water distribution system operators to meet the requirements in Rule 62-602.300, F.A.C., shall include performance of the duties listed in paragraph (a) below while working on or for a water distribution system as an employee, volunteer, or contractor. Experience listed in paragraph (b) below while working on or for a water distribution system as an employee, volunteer, or contractor also may be included for part of the documented experience if the experience listed in paragraph (a) predominates.

(a) Cleaning (swabbing, pigging, scraping, or air purging) water mains; installing, tapping, repairing/replacing, pressure testing, or disinfecting water mains and appurtenances (including fittings, valves, and hydrants); cleaning or disinfecting finished-water storage tanks; operating or adjusting pumps or control valves as necessary to regulate water distribution system flows or pressures; evaluating and interpreting water quality measurements in water distribution systems and troubleshooting to determine causes of water quality complaints; and estimating and justifying water distribution system operation and maintenance budgets.

(b) Flushing water mains; installing or repairing/replacing water services lines and appurtenances (including fittings, valves, and meters); establishing or implementing a cross-connection control program (including installing, repairing/replacing, or testing backflow preventers); testing and maintaining water meters; locating and marking water mains or service lines; operating or exercising isolation valves; testing and maintaining fire hydrants; repairing/overhauling water pumps, control valves or meters; performing water quality measurements in water distribution systems; collecting and analyzing water samples; reading or updating water distribution system maps; and preparing water distribution system operation and maintenance records.

(8) Water distribution system operator experience excludes work on or for a potable water system that is not a Department-regulated public water system and excludes work on fire protection systems; irrigation systems; or gas, oil, or steam piping systems.

Specific Authority 403.869, 403.872 FS. Law Implemented 403.865, 403.866, 403.867, 403.872 FS. History--New 12-30-99, Amended 2-6-02, _____.

62-602.270 Eligibility for Operator Examinations.

(1) To be eligible for operator licensing examinations, the applicant must meet the following criteria:

(a) No change.

(b) For Class A, B, or C treatment plant operator examinations and Level 1, 2, or 3 water distribution system operator examinations, hHave successfully completed a Department-approved required training course for the classification or and level of the examination to be taken no more than 5 years before the examination.

(c) Treatment plant operators must bBe currently licensed as follows:

1. Licensed as a Class at the B operator level to take the Class A level examination.

2. Licensed as a Class at the C operator level to take the Class B level examination.

(d) Water distribution system operators must be currently licensed as follows:

1. Licensed as a Level 2 operator to take the Level 1 examination.

2. Licensed as a Level 3 operator to take the Level 2 examination.

(2) Operators from other states must meet the requirements of Rule paragraphs 62-602.360(1)(a)-(d), F.A.C.

(3) In lieu of meeting the requirements described in subsection (1) above, applicants for a water distribution system operator examination shall be allowed one opportunity to take either a Level 1, 2, or 3 examination before May 1, 2011, if the applicant meets the criteria listed in paragraphs (a) through (d) below. If a passing score is not obtained on the first examination attempt, the applicant must successfully complete a Department-approved Level 3 water distribution system operator training course and begin the licensure process as a Level 3 water distribution system operator in accordance with subsection (1) above. Applicants under this subsection (3) must meet the following criteria:

(a) For a Level 3 water distribution system operator examination, have a high school diploma or its equivalent and document at least 1.5 years (3,120 hours) of experience as defined in subsection 62-602.250(7), F.A.C.; or

(b) For a Level 2 water distribution system operator examination, have a high school diploma or its equivalent and document at least 4 years (8,320 hours) of experience as defined in subsection 62-602.250(7), F.A.C.; or

(c) For a Level 1 water distribution system operator examination, have a high school diploma or its equivalent and document at least 6.5 years (13,520 hours) of experience as defined in subsection 62-602.250(7), F.A.C.

Note: To be eligible for licensure, all of the applicable requirements of Rule 62-602.300, F.A.C., must be met.

Specific Authority 403.869 FS. Law Implemented 403.872 FS. History--New 2-6-02, Amended _____.

62-602.300 Qualifications for Operator Licensure.

To be eligible for licensure by the Department, the applicant shall:

(1) through (4) No change.

(5) For licensure as a Level 4 water distribution system operator, either meet the criteria in paragraphs (a) through (c) below or hold an active Department-issued Consecutive Public Water System Operator License.

(a) Have a high school diploma or its equivalent; and

(b) Be the owner or owner’s manager, agent, or trainee engaged in the operation and maintenance of a regulated public water distribution system for at least 3 months before submitting application for licensure; or document successful completion of a Department-approved Level 4 water distribution system operator training course no more than 5 years before submitting application for licensure and have at least 1 hour of water distribution system operation and maintenance experience that is obtained under a licensed operator and that is completed before submitting application for licensure; and

(c) Obtain a passing score as provided for in paragraph 62-602.550(1)(a), F.A.C., on the Level 4 water distribution system operator examination.

(6) For licensure as a Level 3 water distribution system operator, meet the criteria in paragraphs (a) through (c) below.

(a) Have a high school diploma or its equivalent; and

(b) Document at least 1 year (2,080 hours) of experience as defined in subsection 62-602.250(7), F.A.C., completed before submitting application for licensure; and

(c) Obtain a passing score as provided for in paragraph 62-602.550(1)(a), F.A.C., on the Level 3 water distribution system operator examination no more than 4 years before submitting application for licensure.

(7) For licensure as a Level 2 water distribution system operator, meet the criteria in paragraphs (a) through (c) below.

(a) Have a high school diploma or its equivalent; and

(b) Document at least 3 years (6,240 hours) of experience as defined in subsection 62-602.250(7), F.A.C., completed before submitting application for licensure; and

(c) Obtain a passing score as provided for in paragraph 62-602.550(1)(a), F.A.C., on the Level 2 water distribution system operator examination no more than 4 years before submitting application for licensure.

(8) For licensure as a Level 1 water distribution system operator, meet the criteria in paragraphs (a) through (c) below.

(a) Have a high school diploma or its equivalent; and

(b) Document at least five 5 years (10,400 hours) of experience as defined in subsection 62-602.250(7), F.A.C., completed before submitting application for licensure; and

(c) Obtain a passing score as provided for in paragraph 62-602.550(1)(a), F.A.C., on the Level 1 water distribution system operator examination no more than 4 years before submitting application for licensure.

(9) In lieu of meeting the criteria in subsections (6), (7), or (8) above, applicants for a water distribution system operator license who meet the requirements listed in paragraphs (a), (b), or (c) below may apply for licensure to the Department before May 1, 2011.

(a) For licensure as a Level 3 water distribution system operator, the applicant must have received a high school diploma or its equivalent; have satisfactorily completed or

instructed prior to [insert the effective date of this rule] one or more water distribution system operator training courses that address operation and maintenance of water distribution systems, total no less than 20 contact hours, and include an end-of-course exam; and document at least 1 year (2,080 hours) of experience as defined in subsection 62-602.250(7), F.A.C.; or

(b) For licensure as a Level 2 water distribution system operator, the applicant must have received a high school diploma or its equivalent; have satisfactorily completed or instructed prior to [insert the effective date of this rule] one or more water distribution system operator training courses that address operation and maintenance and troubleshooting of water distribution systems, total no less than 40 contact hours, and include an end-of-course exam; and document at least 3 years (6,240 hours) of experience as defined in subsection 62-602.250(7), F.A.C.; or

(c) For licensure as a Level 1 water distribution system operator, the applicant must have received a high school diploma or its equivalent; have satisfactorily completed or instructed prior to [insert the effective date of this paragraph] one or more water distribution system operator training courses that address operation and maintenance and troubleshooting of water distribution systems and supervision of water distribution system personnel, total no less than 60 contact hours, and include an end-of-course exam; and document at least 5 years (10,400 hours) of experience as defined in subsection 62-602.250(7), F.A.C.

Specific Authority 403.869, 403.872 FS. Law Implemented 403.872 FS. History–New 12-30-99, Amended 2-6-02, _____.

62-602.350 Approval of Residence or Correspondence Courses.

Specific Authority 403.869, 403.872 FS. Law Implemented 403.872 FS. History–New 12-30-99, Repealed _____.

62-602.360 Licensing Requirements for Non-Florida Operators.

Operators licensed in other states must meet the following requirements to obtain a Florida license:

(1) No change.

~~(2) Have successfully completed a required training course for the classification and level of the license being requested no more than 5 years before the application;~~

~~(2)(3) Have the required experience specified in Rule 62-602.300, F.A.C., for the class or level of license being requested. Additionally, this experience must include at least two years at a plant using a treatment process that, if in Florida, would require an operator licensed at the level being requested according to the criteria established in Rule 62-699.310, F.A.C.;~~

~~(3)(4) Possess an active license equivalent to the class or level of license being requested;~~

~~(4)(5)~~ Be provided one opportunity to obtain a passing score on the licensing examination, as provided for in paragraph 62-602.550(1)(a), for the class or level of license being requested. For the purpose of obtaining a license, the examination will satisfy the examination criterion for licensing for a period of four years from the date a passing score is obtained. If a passing score is not obtained on the first examination attempt, the applicant must complete a required training course for the class or level of the license being requested prior to resubmitting an application for examination. The required training course for the class or level of license being requested must have been completed no more than 5 years before the application for examination.

Specific Authority 403.869 FS. Law Implemented 403.872 FS. History–New 2-6-02, Amended _____.

62-602.410 Applications for Examination.

(1) Applications for treatment plant operator examinations shall be made on Form 62-602.900(2), the “Application for Water or Wastewater Treatment Plant Operator Examination,” hereby adopted and incorporated by reference, effective _____, form 62-602.900(2), and shall include all fees and documentation required by this chapter these rules. Applications for water distribution system operator examinations shall be made on Form 62-602.900(4), “Application for Water Distribution System Operator Examination,” hereby adopted and incorporated by reference, effective _____, and shall include all fees and documentation required by this chapter.

~~(2)(a)~~ Documentation of course completion shall include the name and type of training institution, the number of classroom hours in the approved course, the date of course completion, the type and level of training approved (drinking water or domestic wastewater treatment plant Class D, C, B, or A or water distribution system Level 4, 3, 2, or 1), and the signature of the instructor who determined that the applicant has successfully completed the course.

~~(3)(b)~~ No change.

~~(2) Applicants requesting to take the operator examination and apply for license at the same time must submit both forms 62-602.900(1) and 62-602.900(2) with associated fees and documentation.~~

Specific Authority 403.869, 403.872 FS. Law Implemented 403.872 FS. History–New 2-6-02, Amended _____.

62-602.420 Applications for License.

(1) Applications for treatment plant operator the licenses shall be made on Form 62-602.900(1), the “Application for Water or Wastewater Treatment Plant Operator License,” Certification,” hereby adopted and incorporated by reference, effective _____, form 62-602.900(1), and shall include all fees and documentation required by this chapter these rules. Applications for water distribution system operator licenses

shall be made on Form 62-602.900(3), “Application for Distribution System Operator License,” hereby adopted and incorporated by reference, effective _____, and shall include all fees and documentation required by this chapter.

(2) Verification of employment experience as defined in subsection 62-602.200(8)(5), F.A.C., and Rule 62-602.250, F.A.C., shall be provided by the applicant to confirm the hours required in Rule 62-602.300, F.A.C. These hours shall be verified by one of, or a combination of, (a) ~~through (d) and (b)~~ below.

(a) For applicants who are working as an employee or volunteer, hours shall be verified by the lead operator of the treatment plant or water distribution system; or the applicant’s operator’s supervisor; or for contract operators, the contract manager for the plant or system.

(b) For applicants who are working as a contractor, hours shall be verified by the contract manager for each treatment plant or water distribution system, or for multiple plants and who cannot meet the requirements of (a) above, the applicant shall submit with the application a copy of the contract for the operation of each treatment plant; or water distribution system or a certification an affidavit from the plant or system owner verifying time at each the plant or system.

(c) No change.

(d) If the employment experience is not verified by a licensed operator, an the applicant for a treatment plant operator license must also provide a reference from a peer who is a licensed operator of the same type (drinking water or domestic wastewater) to verify the type of experience of the applicant. If the employment experience is not verified by a licensed operator, an applicant for a water distribution system operator license must provide a reference from a peer who is either a licensed water treatment plant operator or a licensed water distribution system operator to verify the type of experience of the applicant.

~~(3)(e)~~ No change.

Specific Authority 403.869, 403.872 FS. Law Implemented 403.872 FS. History–New 2-6-02, Amended _____.

62-602.430 Application Processing for Examinations and License.

(1) Applications for operator examinations shall be processed as described. Complete applications for examinations shall be submitted to the Department or its designee no later than 90 days before the date of the requested examination. For purposes of this rule, an application is complete when all items on the application form have been fully answered with all attendant documentation provided, the applicant has paid all fees specified in Rule 62-602.600, F.A.C., and all checks submitted have been honored. Applications postmarked, or delivered by hand to the Department, less than 90 days before the date of an examination shall be processed for the next examination.

(a) through (c) No change.

(2) No change.

~~(3) Applications for examination and licensure may be submitted together if the applicant has met all the requirements of Rule 62-602.300, F.A.C., except for achieving a passing score on the required examination for the license being requested. The examination portion of the application will be processed as specified in item (1) above. The application for license will be deemed incomplete until the examination results are available at which time it will be processed as specified in item (2) above.~~

Specific Authority 403.869 FS. Law Implemented 403.872 FS. History—New 2-6-02, Amended _____.

62-602.450 Notification to Applicants for Examinations.

~~(1) For each applicant approved by the Department to take the examination, the Department will notify the each applicant of the time, place, and date of the examination, and will provide the applicant with an admission notice that is required for admission to the examination. An examinee handbook also will be provided to all applicants.~~

(2) through (3) No change.

Specific Authority 403.869 FS. Law Implemented 403.872 FS. History—New 12-30-99, Amended _____.

62-602.500 Examination Administration.

(1) through (3) No change.

~~(4) All examinations will be administered in accordance with the Department's "Manual for Examinations," 1999, incorporated herein by reference and available by writing to the Department of Environmental Protection, Operator Certification Program, Mail Station 3506, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.~~

(5) through (7) renumbered (4) through (6) No change.

~~(8) Security procedures shall be used as specified in the Department's "Operator Certification Program Security Procedures Manual," 1999, incorporated herein by reference and available by writing to Department of Environmental Protection, Operator Certification Program, Mail Station 3506, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.~~

Specific Authority 403.869 FS. Law Implemented 403.872 FS. History—New 12-30-99, Amended _____.

62-602.560 Candidates' Post-Exam Review.

A candidate who has taken and failed an examination shall have the right to review the examination questions and correct answers for the questions the candidate answered incorrectly under the following conditions:

(1) Requests for a post-examination review shall be submitted to the Department in writing and shall include the fee specified in subsection 62-602.600(6), F.A.C. Requests must be postmarked, or delivered by hand to the Department, no later than 21 days after the date ~~on~~ of the original grade

notification letter notice of examination failure issued by the Department. Issuance of an amended grade notification letter, if applicable, will not extend the deadline for a candidate to request a post-examination review unless the amended grade notification letter affects the pass/fail status of the candidate.

(2) Examination reviews shall be conducted in the presence of a representative of the Department at its Tallahassee headquarters during regular working hours, which are defined as 8:00 a.m. through 5:00 p.m., Monday through Friday, excluding official State holidays.

(a) All security procedures defined in the "Operator Certification Program Security Procedures Manual" shall apply to all review sessions. Any candidate violating said procedures shall be dismissed from the review session, and is subject to other sanctions under Department statutes or rules.

~~(a)(b) Upon payment of fees required in subsection 62-602.600(7), F.A.C., examination reviews by candidates shall be scheduled. These Rreviews shall be scheduled and completed no later than 60 days after the date on the original grade notification letter or no later than 60 days after the date on an amended grade notification letter if the amended grade notification letter affects the pass/fail status of the candidate. Reviews shall not be conducted during the 30-day period immediately before the next examination.~~

~~(b)(e) A representative from the Department shall remain with all candidates throughout all examination reviews. The representative cannot defend the examination or attempt to answer any examination questions during the review. All comments regarding an exam question shall be submitted in writing to the exam review coordinator. Candidates shall be provided with written instructions before the review. All candidates must acknowledge receipt of these instructions; and agree in writing to abide by them.~~

(c) Candidates will be given an examination review time equal to no more than half the time provided for administration of the examination failed.

(d) Candidates reviewing an examination will be provided with a clean, exact copy of the original examination questions. Examination booklets used by candidates during examinations are not retained. Consequently, candidates will not be given the actual examination booklet they used during the examination, which means that any marks or notes made by candidates in their examination booklet during an examination will not be available during the review. Upon completion of all reviews, all candidates shall acknowledge in writing the start time of the review, the end time of the review, all materials reviewed, and other relevant review information.

(e) Candidates have the right to challenge any examination question that they believe is ambiguous or any examination question solution that they believe is incorrect and to request an administrative hearing if the challenge is found by the Department to be without merit. Challenges must be submitted in writing during reviews. Any challenge or supporting

documentation submitted after a candidate leaves a review shall not be accepted. The Department will respond in writing to written challenges by acknowledging their merit or lack thereof.

(f) If the Department determines that a written challenge of an examination question is meritorious, the Department will regrade only the examinations of those candidates who failed the exam but scored a 65 percent or higher.

(3) In addition to the provisions of subsection (2)(a) through (2)(d) above, examination candidates shall be prohibited from leaving any reviews with any written comments or challenges, grade sheets, or any other examination materials.

Specific Authority 403.869 FS. Law Implemented 403.872 FS. History—New 12-30-99, Amended 2-6-02, _____.

62-602.570 Formal Administrative Hearing Petition and Pre-Hearing Review Request.

(4) Under Sections 120.569 and 120.57, F.S. of the Florida Statutes, and Rules 62-110.106, 28-106.201 and 28-106.301, F.A.C., a candidate who has taken and failed an examination may petition for an administrative hearing under the following terms and conditions:

(1)(2) Except as noted in subsection (2)(3) below, all petitions for administrative hearings shall be filed no later than 21 days after the applicant receives the Department's grade notification letter.

(2)(3) For a candidate who elects to review the examination under subsection 62-602.560(1), F.A.C., the petition for a hearing must be filed no later than 21 days after the post-examination review or no later than 21 days after the date of the letter notifying the candidate that his or her challenge was found to be without merit.

(4) through (6) renumbered (3) through (5) No change.

(6) If, while preparing for a hearing, the Department discovers that credit should be awarded for one or more examination questions listed in the candidate's petition for a hearing, the Department shall issue an amended grade notification letter reflecting the candidate's amended score.

Specific Authority 403.869 FS. Law Implemented 403.872 FS. History—New 12-30-99, Amended _____.

62-602.580 Use of Operator Trial Test Items in Examinations.

(1) Operator examinations will be developed by or for the Department, or the Department will use available national operator examinations.

(2) A national examination is an examination developed by or for a national or multi-state professional association, board, council, or society (hereinafter referred to as organization) and administered for the purpose of assessing

entry-level skills necessary to protect the health, safety, and welfare of the public from incompetent practice and meets the following standards:

(a) The purpose of the examination shall be to establish entry-level standards of practice that shall be common to all practitioners;

(b) The practice of the profession at the national level must be defined through an occupational survey with a representative sample of all practitioners and professional practices; and

(c) The examination must assess the scope of practice and the entry skills defined by the national occupational survey.

(3) The organization that develops a national examination, or for which a national examination is developed, as discussed in subsection (2) above must meet the following requirements:

(a) The organization must be recognized by practitioners across the nation in the form of representatives from the States or shall have membership representing a substantial number of the nation's or states' practitioners who have been licensed through the national examination.

(b) The organization shall be the responsible body for overseeing the development and scoring of the national examination.

(c) The organization shall provide security guidelines for the development and grading of the national examination and shall oversee the enforcement of these guidelines.

(4) Written examinations developed by or for the Department may include trial test or experimental questions for the purpose of evaluating the statistical or psychometric qualities of new or revised questions prior to their use in an examination. Trial test or experimental questions will not be identified to the candidates as trial test questions on the examination.

(a)(4) The maximum number of trial test questions included in a single examination shall not exceed 20 percent of the total number of questions on the examination, or ten (10) questions, whichever is greater.

(b)(2) Trial test questions shall not be counted toward the candidate's score on the examination. Answers to trial test questions shall not be subject to review by the candidates during the candidate's review process. Additional time will not be given to complete an examination that contains trial questions.

Specific Authority 403.869 FS. Law Implemented 403.872 FS. History—New 12-30-99, Amended _____.

62-602.600 Fees for Operator Examinations and Licensure.

The following fees are required for the activities associated with operator examination and licensing:-

(1) Applicants for operator examinations shall submit the following fees with the application. All application fees are non-refundable.

Examination Class or Level	Application Fee	Examination Fee
Class A Treatment Plant Operator	\$25	\$75
Class B Treatment Plant Operator	\$25	\$75
Class C Treatment Plant Operator	\$25	\$75
Class D Treatment Plant Operator	\$25	\$50
Level 1 Water Distribution System Operator	\$25	\$50
Level 2 Water Distribution System Operator	\$25	\$50
Level 3 Water Distribution System Operator	\$25	\$50
Level 4 Water Distribution System Operator	\$25	\$50

(2) Applicants for operator licenses shall submit the following fees with the application. All application fees are non-refundable.

License Class or Level	Application Fee	License Fee
Class A Treatment Plant Operator	\$50	\$50
Class B Treatment Plant Operator	\$50	\$50
Class C Treatment Plant Operator	\$50	\$50
Class D Treatment Plant Operator	\$25	\$25
Level 1 Water Distribution System Operator	\$25	\$25
Level 2 Water Distribution System Operator	\$25	\$25
Level 3 Water Distribution System Operator	\$25	\$25
Level 4 Water Distribution System Operator	\$25	\$25

(3) Applicants may apply for both the examination and license at the same time as specified in subsection 62-602.420(3), F.A.C. Fees required for these applications are the total of the fees from (1) and (2) above for the level requested. Application fees are non-refundable.

(3)(4) All operators holding a Class A, B, or C treatment plant operator level license holders shall renew their licenses biennially and pay a non-refundable \$75 fee to the Department before a renewal license will be issued. Operators holding a Class D treatment plant operator license or a Level 1, 2, 3, or 4 water distribution system operator license holders shall renew their licenses biennially and pay a non-refundable \$50 fee to the Department before a renewal license will be issued.

(5) through (6) renumbered (4) through (5) No change.

(6)(7) A fee of \$75 will be required for examination reviews conducted in accordance with Rule 62-602.560 62-620.560, F.A.C.

(8) Candidates requesting a hand score of the examination shall be charged a \$10 fee for the service.

(7)(9) The fees stated in subsections (1) through (3) and (2) above shall be \$10 for an application, \$10 for an examination, and \$10 for a license or license renewal for wards of the state upon submission of written evidence, with the examination or license application or renewal notice, to the Department that said individual is a ward of the state.

Specific Authority 403.869 FS. Law Implemented 403.871, 403.872, 403.874 FS. History—New 12-30-99, Amended 2-6-02.

62-602.650 Duties of Operators.

An operator is responsible for performing treatment plant or water distribution system operation and maintenance duties in a responsible and professional manner consistent with standard operating practices. The duties shall be the following:

(1) Domestic wastewater treatment plant operators shall perform responsible and effective on-site management of the operation, and supervision, over personnel and maintenance of domestic wastewater treatment plants, functions including, if applicable, reuse or disposal systems within the operator's responsibility. Water treatment plant operators shall perform responsible and effective on-site management of the operation, supervision, and maintenance of water treatment plants or water distribution systems. Water distribution system operators shall perform responsible and effective on-site management of the operation, supervision, and maintenance of water distribution systems.

(2) Domestic wastewater treatment plant operators shall submit to the permittee all required reports in the manner required by the Department in Rule 62-601.300, F.A.C. Water treatment plant operators shall submit to the supplier of water all required reports in the manner required by the Department in Rules 62-550.730, 62-555.325, and 62-555.350, F.A.C.; to the permittee or supplier of water.

(3) Domestic wastewater treatment plant operators shall notify the permittee as soon as possible following the discovery of any abnormal event or noncompliance that may endanger health or the environment as described in subsection 62-604.550(2) or 62-620.610(20), F.A.C.; additionally, wastewater plant operators shall report to the State Warning Point (SWP) at 1(800)320-0519 and the Department or delegated local program in accordance with subsections 62-604.550(2) and 62-620.610(20), F.A.C., unless the permittee has written procedures designating and directing other knowledgeable staff to report on behalf of the permittee to the SWP and the Department or delegated local program in accordance with subsections 62-604.550(2) and 62-620.610(20), F.A.C. Water treatment plant operators and water distribution system operators shall notify the supplier of water as soon as possible after discovery of any of the circumstances described in subsection 62-555.350(10), F.A.C.; additionally, water treatment plant operators and water distribution system operators shall report to the SWP, the Department or approved county health department (ACHD), and water customers in accordance with subsection 62-555.350(10), F.A.C., unless the supplier of water has written procedures designating and directing other knowledgeable staff to report on behalf of the water supplier to the SWP, the Department or ACHD, and water customers in accordance with subsection 62-555.350(10), F.A.C. Report to the permittee or supplier of water and the Department and, if applicable, the local regulatory agency, as soon as possible, but within 24 hours following the discovery of any serious plant breakdown or condition causing or likely to cause:

- (a) Unsafe treatment plant operation, or
- (b) Any discharge of water or wastewater not in accordance with Chapters 62-550, 62-555, 62-302, F.A.C., or the facility's permit, or

(e) Any major interruption in service.

(4) Domestic wastewater treatment plant operators shall maintain a separate operation and maintenance (O&M) log for each domestic wastewater treatment plant, and water treatment plant operators shall maintain a separate O&M operation and maintenance logs for each water treatment plant. The plant O&M log shall be maintained on site at the plant in a location accessible to 24-hour inspection, and protected from weather damage, and current to the last operation and maintenance performed. The plant O&M logs shall be maintained in a hard-bound books with consecutive page numbering, or alternatively, part or all of the plant O&M log may be maintained electronically upon written request by the permittee or supplier of water and written approval by the appropriate Department district office, delegated local program, or approved county health department (ACHD). Department district offices, delegated local programs, and ACHDs shall approve partial or complete electronic plant O&M logs if the permittee or supplier of water demonstrates that required data will remain accessible to 24-hour inspection and protected from weather damage; that adequate data storage capacity and data backup will be provided; that entries made by recording equipment will be date/time stamped; and that entries made by an operator will be date/time stamped and accompanied by an electronic signature unique to, and under the sole control of, the operator. The plant O&M log shall be maintained current to the last operation and maintenance performed and shall contain a minimum of the previous three months of data at all times. Alternative logs or partial electronic logging are acceptable if approved by the appropriate Department district office or the local regulatory agency. The plant O&M logs shall contain the following information, which shall be entered in the O&M log during each plant visit before leaving the plant:

- (a) No change.
- (b) The signature and license number of the operator and the signature of the persons making any entries;
- (c) Date and time in and out of the plant;
- (d) Description of specific plant operation and maintenance activities, including any preventive maintenance or repairs made or requested;
- (e) No change.
- (f) Notation of any notification or reporting completed in accordance with subsection 62-602.650(3), F.A.C. Performance of preventive maintenance and repairs or requests for repair of the equipment.

(5) Beginning May 1, 2011, water treatment plant or distribution system operators shall maintain one or more operation and maintenance (O&M) logs for each water distribution system. The water distribution system O&M log may be combined with the O&M log for any water treatment plant connected to the water distribution system or may be a separate log. The water distribution system O&M log shall be maintained in a hard-bound book with consecutive page

numbering, or alternatively, part or all of the water distribution system O&M log may be maintained electronically upon written request by the supplier of water and written approval by the appropriate Department district office or approved county health department (ACHD). Department district offices and ACHDs shall approve partial or complete electronic water distribution system O&M logs if the supplier of water demonstrates that adequate data storage capacity and data backup will be provided; that entries made by recording equipment will be date/time stamped; and that entries made by an operator will be date/time stamped and accompanied by an electronic signature unique to, and under the sole control of, the operator. The water distribution system O&M log shall be maintained current to the last operation and maintenance performed and shall contain a minimum of the previous three months of data at all times. The water distribution system O&M log shall contain the following information, which shall be entered in the O&M log on the day the information was obtained:

- (a) Identification of the distribution system;
- (b) The signature and license number of the operator making any entries;
- (c) Date, time, and description of water distribution system operation or maintenance (O&M) activities that may affect water quality or quantity and that are listed in Footnote 1 under the tables in subparagraphs 62-699.310(2)(f)1. and 2., F.A.C., including any such activities that are performed by a licensed underground utility and excavation contractor or licensed plumbing contractor;
- (d) Results of tests performed and samples taken, unless documented on a laboratory sheet;
- (e) Notation of any notification or reporting completed in accordance with subsection 62-602.650(3), F.A.C.

Specific Authority 403.869 FS. Law Implemented 403.865, 403.875(1)(a) FS. History—New 12-30-99, Amended 2-6-02,

62-602.660 Technical Manuals.

The following technical manuals are incorporated by reference either in Rule 62-555.330, F.A.C., as specified after the name and address of the publisher of the specific manual, or herein; and are to be used to establish professionally accepted treatment plant or water distribution system operation. These manuals are available from the sources listed below.

(1) Domestic Wastewater Treatment Plants.

(a) *Operation of Wastewater Treatment Plants, Volume I – Volume I. Sixth Edition, 2004. Fourth Edition, 1998:* California State University Sacramento, Office of Water Programs, 6000 J- Street, Sacramento, California 95819-6025.

(b) *Operation of Wastewater Treatment Plants, Volume II – Volume II. Sixth Edition, 2003. Fourth Edition, 1996:* California State University Sacramento, Office of Water Programs, 6000 J- Street, Sacramento, California 95819-6025.

(c) Advanced Waste Treatment, Fifth Edition, 2006, Third Edition, 1998. California State University Sacramento, Office of Water Programs, 6000 J- Street, Sacramento, California 95819-6025.

(d) Small Wastewater Systems Operation and Maintenance, Volume I, First Edition, 1997. California State University Sacramento, Office of Water Programs, 6000 J Street, Sacramento, California 95819-6025. Aerobic Biological Wastewater Treatment Facilities — Process Control Manual; EPA 430/9-77-006. U. S. Environmental Protection Agency, 1977. Environmental Quality Instructional Resources Center, Ohio State University, Room 310, 1200 Chambers Road, Columbus, Ohio 43212.

(e) Small Wastewater Systems Operation and Maintenance, Volume II, First Edition, 2002. California State University Sacramento, Office of Water Programs, 6000 J Street, Sacramento, California 95819-6025. Package Treatment Plants Operations Manual. U.S. Environmental Protection Agency, 1977. Environmental Quality Instructional Resources Center, Ohio State University, Room 310, 1200 Chambers Road, Columbus, Ohio 43212.

(f) Manual of Practice No. 11- Operation of Municipal Wastewater Treatment Plants, Volumes I-III, WEF Manual of Practice 11, Fifth Edition, 1996. Water Pollution Control Federation, 1976. Water Environment Pollution Control Federation, Publications Order Department, 601 Wythe Street, Alexandria, Virginia 22314-1994.

(2) Drinking Water Treatment Plants and Water Distribution Systems.

(a) Water Treatment Plant Operation, Volume I — Volume I, Fifth Edition, 2004, Third Edition, 1996. California State University Sacramento, Office of Water Programs, 6000 J- Street, Sacramento, California 95819-6025.

(b) Water Treatment Plant Operation, Volume II — Volume II, Fourth Edition, 2004, Second Edition, 1995. California State University Sacramento, Office of Water Programs, 6000 J- Street, Sacramento, California 95819-6025.

(c) Water Distribution System Operation and Maintenance, Fifth Edition, 2005, First Edition, 1987. California State University Sacramento, Office of Water Programs, 6000 J- Street, Sacramento, California 95819-6025.

(d) Small Water System Operation and Maintenance, Fourth Edition, 2002. California State University Sacramento, Office of Water Programs, 6000 J Street, Sacramento, California 95819-6025. Recommended Standards for Water Works. 1987 Edition. A Report of the Committee of the Great Lakes — Upper Mississippi River Board of State Public Health and Environmental Managers, Published by Health Research Inc., Health Education Service Division, P. O. Box 7126, Albany, N.Y. 12224. This was incorporated by reference in subsection 62-555.330(3), F.A.C.

(e) Water Treatment Operator Handbook, American Water Works Association (AWWA), Revised Edition, 2005. AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235. Water Quality and Treatment: A Handbook of Community Water Supplies, American Water Works Association, Fourth Edition, 1990. McGraw-Hill Publishing Company, 1221 Avenue of the Americas, New York, New York 10020. This was incorporated by reference in subsection 62-555.330(1), F.A.C.

(f) Water Distribution Operator Training Handbook, American Water Works Association (AWWA), Third Edition, 2005. AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235. Water Treatment Plant Design, Second Edition, 1990, American Society of Civil Engineers and American Water Works Association, McGraw-Hill Publishing Company, 1221 Avenue of the Americas, New York, New York 10020. This was incorporated by reference in subsection 62-555.330(2), F.A.C.

(g) American Water Works Association (AWWA) Standard C651-05, Disinfecting Water Mains; AWWA Standard C652-02, Disinfection of Water-Storage Facilities; AWWA Standard C653-03, Disinfection of Water Treatment Plants; and AWWA Standard C654-03, Disinfection of Wells. AWWA, Standards of the American Water Works Association, in effect on June 1, 1992, American Water Works Association, 6666 West Quincy Avenue, Denver, Colorado 80235. This was incorporated by reference in subsection 62-555.330(4), F.A.C.

(h) Recommended Practice for Backflow Prevention and Cross-Connection Control, AWWA Manual M14, Third Edition, 2004, (M14), 1990, American Water Works Association, 6666 West Quincy Avenue, Denver, Colorado 80235. This was incorporated by reference in subsection 62-555.330(6), F.A.C.

(i) “Guidelines for the Issuance of Precautionary Boil Water Notices,” December 11, 2006. Florida Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, Bin #C22, Tallahassee, Florida 32399-1742. Water Fluoridation — A Manual for Engineers and Technicians, September 1993, Thomas G. Reeves, P.E., National Fluoridation Engineer, Published by the U.S. Department of Health and Human Services, Public Health Service Centers for Disease Control, Dental Disease Prevention Services, Atlanta, Georgia 30333. This was incorporated by reference in subsection 62-555.330(5), F.A.C.

(j) Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems Using Surface Water Sources, October 1990 Edition, Environmental Protection Agency, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington, D.C., Source: U.S. Department of Commerce, National Technical Information Service, Springfield, VA 22161.

(k) The Lead and Copper Guidance Manual, Volume I: Monitoring, September 1991 Edition, Environmental Protection Agency, Science and Technology Branch, Criteria

and Standards Division, Office of Drinking Water, Washington, D.C., Source: U.S. Department of Commerce, National Technical Information Service, Springfield, VA 22161.

~~(4) *Lead and Copper Rule Guidance Manual, Volume II: Corrosion Control Treatment*, September 1992 Edition, Environmental Protection Agency, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington, D.C., Source: U.S. Department of Commerce, National Technical Information Service, Springfield, VA 22161.~~

~~(m) *Standard Methods for the Examination of Water and Wastewater*, 17th Edition, 1989, American Water Works Association, 6666 West Quinney Avenue, Denver, Colorado 80235.~~

Statutory Authority 403.869 FS. Law Implemented 403.867, 403.875 FS. History—New 12-30-99, Amended _____.

62-602.700 Operator Licensing.

The Department shall issue an appropriate license to each applicant who has met all the license requirements for a specific class or level.

(1) through (2) No change.

Specific Authority 403.869 FS. Law Implemented 403.867 FS. History—New 12-30-99, Amended 2-6-02, _____.

62-602.710 Renewal of Operator Licenses.

(1) All active licenses remain active until the end of the current biennium as indicated on the license, except as specified in ~~subsection paragraph~~ 62-602.700(1)(a) and Rule 62-602.870, F.A.C. The effective date of an active license shall be the first day of the current biennium or the date the required renewal fees and documentation of completion of CEUs are received, whichever is later. Each biennium extends through the 30th of April of odd numbered years.

(2) No change.

(3) To retain an active status following the end of each biennium, the following must be submitted to the Department in a timely manner.

(a) through (c) No change.

(d) The fee specified in subsection 62-602.600(3)(2) or (7), F.A.C.

(e) No change.

(4) CEUs shall be required for renewal of operator licenses beginning after the renewal cycle ending April 30, 2001. CEUs must be approved by the Department for credit to be given, and the required number of units shall be earned in the two years directly preceding the request for license renewal. Completing an approved training course for the next higher class or level of license during a renewal cycle will satisfy the CEU requirement for that cycle. CEU requirements are as follows:

(a) Two CEUs shall be required for the renewal of a Class A or B level drinking water or domestic wastewater treatment plant operator license.

(b) One CEU shall be required for the renewal of each Class C level drinking water or domestic wastewater treatment plant operator license.

(c) One-half of one CEU shall be required for the renewal of each Class D level drinking water or domestic wastewater treatment plant operator license and each Level 1, 2, 3, or 4 water distribution system operator license.

(d) An individual who has active Class A or B licenses for both drinking water and domestic wastewater shall only be required to obtain 3 CEUs for the renewal of both licenses, but 1.5 CEUs must apply to each type of license; CEUs that can be applied to either type of license must be clearly identified as such on the certification, and cannot be concurrently applied to each license. An individual who has both an active water treatment plant operator license and an active water distribution system operator license may concurrently apply the same CEUs to each license. CEUs for all other combinations of dual licensing shall be additive.

(e) through (h) No change.

(i) Topics for continuing education include operation and control of a treatment plant or water distribution system, troubleshooting treatment processes, troubleshooting to determine the causes of water quality complaints, health and safety, employee and community right-to-know notification procedures, toxic and hazardous materials handling procedures, solids and residuals control, supervision and management, basic chemistry and biology, mathematics of the treatment process or water distribution system, laboratory sampling procedures, equipment or water main maintenance and repair, computer applications for water or wastewater treatment or water distribution, blue print reading, governmental rules and procedures, security, and emergency response.

Specific Authority 403.869 FS. Law Implemented 403.8532, 403.873 FS. History—New 12-30-99, Amended 2-6-02, _____.

62-602.720 Inactive Status of License.

(1) through (2) No change.

(3) To reactivate the license, the licensee shall meet the requirements in subsection 62-602.710(3), F.A.C., including submitting the renewal fee, and shall submit the reactivation fee specified in subsection 62-602.600(5)(4), F.A.C.

(4) The license of an inactive licensee that does not achieve active status within two years following the end of the most recent licensing period shall be expired, and subsequent licensure will require meeting all the requirements for initial licensure at the highest class or level previously obtained.

Specific Authority 403.869 FS. Law Implemented 403.874 FS. History—New 12-30-99, Amended _____.

62-602.800 Grounds for Disciplinary Proceedings.

The following acts or omissions are grounds for disciplinary actions.

(1) No change.

(2) Any operator of a public water system or domestic wastewater treatment plant, facility, licensed operator, supplier of water, or permittee of a domestic wastewater treatment plant who employs any person to perform the duties of an operator, as identified in Rule 62-602.650, F.A.C., who is not licensed.

(3) No change.

(4) An operator performing treatment plant or water distribution system operation in a manner that is not consistent with standard operating practices.

(5) through (6) No change.

(7) Failure to comply with any provision of Sections 403.865 through 403.876 F.S., this ~~rule~~ chapter, or Department rules pertaining to ~~drinking~~ water or domestic wastewater treatment plants or water distribution systems.

(8) No change.

Specific Authority 403.869 FS. Law Implemented 403.875, 403.876 FS. History—New 12-30-99, Amended 2-6-02,_____.

62-602.850 Disciplinary Guidelines.

(1) When the Department finds that a person, who is subject to regulation under Sections 403.865 through 403.876, F.S., has violated any of the provisions set forth in Rule 62-602.800 or 62-602.870, F.A.C., or Sections 403.865 through 403.876, F.S., it shall issue an administrative order imposing appropriate penalties for each count within the ranges recommended in the following disciplinary guidelines:

(a) Performing the duties of an operator ~~of a water treatment plant or domestic wastewater treatment plant~~ without an active license. The recommended penalty is an administrative fine of a minimum of \$100 for each month of performance, up to a maximum of \$1000.

(b) Use of the name or title “water treatment plant operator,” ~~or~~ “domestic wastewater treatment plant operator,” or “water distribution system operator,” or any other words, letters, abbreviations, or insignia indicating or implying that a person is a licensed operator, or otherwise holds himself out as an operator, unless the person is a holder of a valid license. The recommended penalty is an administrative fine of a minimum of \$250, up to a maximum of \$1000.

(c) No change.

(d) Knowingly or negligently submitting misleading, Knowingly giving false, inaccurate, or forged information or evidence to the Department. The recommended penalty for an applicant not already licensed as an operator is denial of the application and prohibition of reapplication from a minimum of 2 years, up to a maximum of 3 years. The recommended penalty for an operator shall be revocation of the operator’s license, and prohibition of reapplication for a minimum of 2 years, up to a maximum of permanent revocation of the operator’s license 3 years.

(e) No change.

(f) Employing unlicensed persons to perform the duties of an operator or fulfilling, or employing persons to fulfill, operator staffing requirements under Chapter 62-699, F.A.C., without an active license of the appropriate type and appropriate class or level of a water treatment or domestic wastewater treatment plant. The recommended penalty is an administrative fine of a minimum of \$500, up to a maximum of \$1000.

(g) No change.

(h) Failure to comply with the provisions of Rule 62-602.650, F.A.C. The recommended penalty for failure to submit reports in a timely manner, or to maintain operation and maintenance logs, as required by Rule 62-602.650, F.A.C., is from a minimum issuance of a probation letter to a maximum administrative fine of \$100 per day of the occurrence up to a maximum of \$1,000 for the offense. The recommended penalty for failure to report unpermitted discharges, interruption of service, plant upsets, or the failure to report the production of drinking water that does not meet the applicable requirements is from a minimum of a suspension of license of 1 year, up to a maximum of revocation of license. The recommended penalty for failure to perform treatment plant or water distribution system operation in a manner consistent with standard operating practices, or failure to comply with any other provision of Rule 62-602.650, F.A.C., is from a minimum administrative fine of \$100 per day of the occurrence up to a maximum of \$1,000 for the offense. The actual penalty imposed depends upon the severity of the violation to cause harm to the environment, or to endanger the public’s or plant employees’ health or safety.

(i) Checks for licensure, license renewal, examination, or examination review returned for insufficient funds. The recommended penalty is suspension of license until the full fees are received, including the charge for insufficient funds.

(j) Failure to comply with any Department order previously entered in a disciplinary hearing. The recommended penalty is from a minimum of license suspension for 1 year for failure to comply with one order, up to a maximum of license revocation for failure to comply with more than one order.

(2) The Department shall be entitled to deviate from the above guidelines upon a showing of aggravating or mitigating circumstances by the accused before any imposition of a final penalty.

(a) Aggravating circumstances are circumstances that justify deviating from the above disciplinary guidelines and cause the increase of a penalty beyond the maximum level of discipline in the guidelines. These are:

1. No change.

2. For negligence, the magnitude and scope of the damage inflicted upon the environment, treatment plant or water distribution system, treatment plant or water distribution system employees, or general public by the operator’s misfeasance.

(b) Mitigating circumstances are circumstances that justify deviating from the above disciplinary guidelines and cause the reduction of a penalty ~~below~~ beyond the minimum level of discipline in the guidelines. These are:

1. For negligence, the nature of the treatment plant or water distribution system in question and lack of danger to the environment or public health, safety, and welfare resulting from the operator's misfeasance.

2. through 4. No change.

Specific Authority 403.869 FS. Law Implemented 403.875, 403.876 FS. History--New 12-30-99, Amended 2-6-02, _____.

62-602.870 Suspension and Revocation of Operator License.

(1) The Department shall, depending on aggravating and mitigating circumstances, in addition to a fine, suspend a license for a period not to exceed 2 years for any of the following reasons:

(a) through (b) No change.

(c) Incompetence in the performance of duties of an operator ~~that in treatment plant operation which~~ results in a treatment plant or water distribution system, under the direct charge of the operator, being operated in a manner inconsistent with standard operating practice.

(2) The Department shall permanently revoke a license for any one of the following reasons:

(a) through (b) No change.

(c) A finding by the Department that negligence in the performance of duties as an operator ~~in treatment plant operation~~ has resulted in a threat to public health or safety; or harm to the environment.

(d) No change.

(3) through (6) No change.

Specific Authority 403.869 FS. Law Implemented 403.876 FS. History--New 12-30-99, Amended _____.

62-602.880 Consecutive Public Water System Operator Licenses.

Effective [insert the effective date of this amendment], the Department will not issue any new, nor renew any existing, consecutive public water system operator licenses. All existing licensees with current licenses shall have their licenses converted and reissued as a Level 4 water distribution system operator license. When proper application is made and the qualifications listed below are met, the Department shall issue a Consecutive Public Water System Operator License authorizing the licensee to operate and maintain regulated public water systems that purchase all of their water from one separate public water system and that provides no additional treatment. This license cannot be used to fulfill staffing requirements at any treatment plant.

~~(1) Qualifications for Consecutive Public Water System Operator Licensure. To be eligible for licensure a candidate must have a high school diploma or its equivalent and either:~~

~~(a) Successfully complete a Department approved residence consecutive system training course that includes both classroom and in-field training with a written final examination, or;~~

~~(b) Successfully complete a Department approved consecutive system correspondence training course, and~~

~~1. Document at least 3 months experience in the operation and maintenance of a consecutive water system, and~~

~~2. Obtain a passing score on a Department approved consecutive system operator examination.~~

~~(2) Licensing and renewals under this rule section will be in accordance with Rules 62-602.410 through 602.600 and 62-602.700 through 62-602.750, F.A.C., with the following exceptions:~~

~~(a) Fees for examination, licensing, and license renewals shall be \$10.00, and~~

~~(b) One half CEU will be required for license renewals.~~

Specific Authority 403.869, 403.872 FS. Law Implemented 403.1842, 403.872 FS. History--New 2-6-02, Amended _____.

62-602.900 Forms for the Operator Certification Program. Each form is listed below by the form number, title, and effective date. Copies of the following forms may be obtained by writing to the Program Manager, Operator Certification Program, 2600 Blair Stone Road, Mail Station 3506, Tallahassee, Florida 32399-2400.

(1) Form 62-602.900(1), Application for Water or Wastewater Treatment Plant Operator License, Certification, effective date _____ ~~2-6-02~~.

(2) Form 62-602.900(2), Application for Water or Wastewater Treatment Plant Operator Examination, effective date _____ ~~2-6-02~~.

(3) Form 62-602.900(3), Application for Distribution Consecutive Public Water System Operator License, Certification, effective date _____ ~~2-6-02~~.

(4) Form 62-602.900(4), Application for Water Distribution System Operator Examination, effective date _____.

Specific Authority 403.869 FS. Law Implemented 403.876 FS. History--New 12-30-99, Amended 2-6-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet G. Llewellyn, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi A. Drew, Deputy Secretary for Regulatory Programs and Energy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 1, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-699.200	Definitions
62-699.310	Classification and Staffing of Domestic Wastewater or Water Treatment Plants and Water Distribution Systems
62-699.311	Additional Classification and Staffing Requirements

PURPOSE AND EFFECT: The Department is establishing classification and staffing requirements for water distribution systems. Also, the Department is making clarifications and changes to current classification and staffing requirements for water or domestic wastewater treatment plants.

SUMMARY: Rule 62-699.200, F.A.C., is being added to define words, phrases, and terms used in Chapter 62-699, F.A.C., Rule 62-699.310, F.A.C., is being amended to add classification and staffing requirements for water distribution systems; to clarify, change, and expand the list of treatment processes included under the various categories of domestic wastewater or water treatment plants; to increase staffing from ½ hour/day to 1 hour/day for Category I, Class C, wastewater treatment plants with a capacity less than 0.05 million gallons per day (MGD); to specify that the cumulative time spent each week visiting a Category III, Class C, water treatment plant with a capacity less than 0.25 MGD shall be equal to an average of at least 0.3 hour per visit; to specify that the cumulative time spent each week visiting a Category IV, Class C or D, water treatment plant with a capacity less than 1.0 MGD shall be equal to an average of at least 0.2 hour per visit; and to specify that the cumulative time spent each week visiting a Category V, Class C or D, water treatment plant with a capacity less than 3.0 MGD shall be equal to an average of at least 0.1 hour per visit. Rule 62-699.311, F.A.C., is being amended to add classification and staffing requirements for water distribution systems; to clarify what the daily check of a treatment plant shall include; to allow Class D treatment plant operators to be the lead/chief operator of up to five water or domestic wastewater treatment plants if the plants are under the same ownership; to establish approval criteria governing staffing reductions for treatment plants under an electronic surveillance system, automatic control system, or electronic control system; to establish approval criteria governing staffing reductions for treatment plants operating at less than permitted capacity; to establish approval criteria governing staffing reductions for multiple Category V water treatment plants connected to the same distribution system; to allow the Department to require increased staffing where necessary to

ensure compliance; to require that Class C treatment plants be visited by their lead/chief operator at least twice per month and that Class D treatment plants be visited by their lead/chief operator at least once per month; and to allow for weekend visits to be interchanged with weekday staffing at treatment plants that have greater flow or production on weekends than on weekdays.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs has been prepared. The Department believes that the classification and staffing requirements it is establishing for water distribution systems constitute the lowest cost regulatory alternative for meeting Florida Statutes and the U.S. Environmental Protection Agency’s “Final Guidelines for the Certification and Recertification of the Operators of Community and Nontransient Noncommunity Public Water Systems” and for maintaining consistency with current classification and staffing requirements for water or domestic wastewater treatment plants. Also, the Department believes that the changes it is making to current classification and staffing requirements for water or domestic wastewater treatment plants will create minimal additional regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 403.869, 403.88(4) FS.

LAW IMPLEMENTED: 403.182, 403.852, 403.853(6), 403.862, 403.866, 403.867, 403.875(1)(f), 403.88(1), 403.88(2), 403.88(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 20, 2007, 10:00 a.m.

PLACE: Room 609, Twin Towers Office Building, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Virginia Harmon, Department of Environmental Protection, Drinking Water Section (MS 3520), 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8630. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Virginia Harmon, Department of Environmental Protection, Drinking Water Section (MS 3520), 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8630

THE FULL TEXT OF THE PROPOSED RULES IS:

TREATMENT PLANT CLASSIFICATION AND STAFFING OF WATER OR DOMESTIC WASTEWATER TREATMENT PLANTS AND WATER DISTRIBUTION SYSTEMS

62-699.200 Definitions.

For the purposes of this chapter, the following words, phrases, or terms shall have the following meaning.

(1) “APPROVED COUNTY HEALTH DEPARTMENT” means a county health department designated by the Department of Health and approved by the Department of Environmental Protection as having a qualified sanitary engineering staff to perform the duties described in Section 403.862(1)(c), F.S.

(2) “AUTOMATIC CONTROL SYSTEM” means an on-site computerized system with sensors and programs that can adjust and control domestic wastewater or water treatment plant equipment and processes over the normal range of expected operating conditions without operator assistance.

(3) “COMMUNITY WATER SYSTEM” or “CWS” means a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

(4) “CONSECUTIVE SYSTEM” means a public water system that receives some or all of its finished water from one or more wholesale systems. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems.

(5) “DELEGATED LOCAL PROGRAM” means any county, municipality, or combination thereof that has established, and administers, a pollution control program approved by the Department of Environmental Protection in compliance with Section 403.182, F.S.

(6) “DEPARTMENT” means the Department of Environmental Protection, any of the approved county health departments, or any of the delegated local programs.

(7) “DOMESTIC WASTEWATER TREATMENT PLANT” means any plant or other works used for the purpose of treating, stabilizing, or holding domestic wastes.

(8) “ELECTRONIC CONTROL SYSTEM” means a comprehensive automatic control system plus electronic surveillance system along with capability for manual adjustment and control of domestic wastewater or water treatment plant equipment and processes via a computerized system at a central or off-site location that is staffed by a Class C or higher treatment plant operator 24 hours per day and seven days per week.

(9) “ELECTRONIC SURVEILLANCE SYSTEM” means a system that monitors operation of a domestic wastewater or water treatment plant and transmits the results of such monitoring by electronic means to a central or off-site location. The use of a telephone for communication between the lead/chief operator and plant personnel is not considered electronic surveillance.

(10) “LEAD OR CHIEF OPERATOR” means the licensed operator who is in responsible charge of a domestic wastewater or water treatment plant or water distribution system and whose responsibilities include supervising all other persons who are employed to operate the plant or distribution system, performing on-site plant or distribution system operation, performing electronic control system operation, and making decisions that relate to the daily operational activities of the plant or distribution system and that directly impact the quality or quantity of effluent, reclaimed water, or drinking water.

(11) “NON-COMMUNITY WATER SYSTEM” means a public water system that is not a community water system. A non-community water system is either a transient non-community water system or a non-transient non-community water system.

(12) “NON-TRANSIENT NON-COMMUNITY WATER SYSTEM” or “NTNCWS” means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over 6 months per year.

(13) “ON-SITE,” when referring to operating, staffing, visiting, or checking a domestic wastewater or water treatment plant, means at the location of the plant; and when referring to operating or staffing a water distribution system, means at the location of the distribution system pipe, pumps, or tanks where operation or maintenance activities that may affect water quality or quantity are taking place.

(14) “OPERATOR” means any person who is in on-site charge of the actual operation, supervision, and maintenance of a domestic wastewater or water treatment plant or water distribution system and includes the person in on-site charge of a shift or period of operation during any part of the day. Operator also means any person operating an electronic control system. Such persons shall be licensed in accordance with Chapter 62-602, F.A.C.

(15) “PERMITTEE” means the person or entity to which a permit for a domestic wastewater facility is issued by the Department.

(16) “PUBLIC WATER SYSTEM” or “PWS” means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A PWS includes: any collection, treatment, storage, or distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage

facilities not under control of the operator of such system but used primarily in connection with such system. A PWS does not include any special irrigation district. A PWS is either a community water system or a non-community water system.

(17) "RESIDUALS MANAGEMENT FACILITY" means a domestic wastewater treatment plant, such as a composting or blending facility, that treats residuals from other domestic wastewater treatment plants, residuals management facilities, or septage management facilities for the purpose of meeting the requirements of Chapter 62-640, F.A.C., before use or land application. Residuals management facilities may also treat domestic septage and combinations of residuals, domestic septage, food establishment sludges, wastewater removed from portable toilets, and wastes removed from holding tanks associated with boats, marinas, or on-site sewage treatment and disposal systems, before use or land application.

(18) "SUPPLIER OF WATER" means any person who owns or operates a public water system (PWS). This does not include the licensed operator unless the licensed operator is also the owner of the PWS.

(19) "TRANSIENT NON-COMMUNITY WATER SYSTEM" or "TWS" means a non-community water system that does not regularly serve at least 25 of the same persons over six months per year.

(20) "VISIT" means an on-site examination of a domestic wastewater or water treatment plant to ensure that equipment is functioning properly, to ensure that chemical supplies are sufficient, and to record the quantity or quality of wastewater or drinking water being treated and other relevant information.

(21) "WATER DISTRIBUTION SYSTEM" means those components of a regulated public water system used in conveying water for human consumption from the water treatment plant to the consumer's property, including pipes, tanks, pumps, and other constructed conveyances.

(22) "WATER TREATMENT PLANT" means those components of a public water system used in collection, treatment, and storage of water for human consumption, whether or not such components are under the control of the operator of such system.

(23) "WHOLESALE SYSTEM" means a public water system that treats source water as necessary to produce finished water and then delivers some or all of that finished water to another public water system. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems.

Specific Authority 403.869, 403.88(4) FS. Law Implemented 403.182, 403.852, 403.862, 403.866 FS. History—New _____.

62-699.310 Classification and Staffing of Domestic Wastewater or Water Treatment Plants and Water Distribution Systems.

This section applies to all domestic wastewater treatment plant permittees or suppliers of water except suppliers of water who own or operate a transient non-community water system serving only businesses other than public food service establishments and using only ground water as a source of supply. Licensed operators are not required for transient non-community water systems serving only businesses other than public food service establishments and using only ground water as a source of supply.

(1) Domestic wastewater treatment plant permittees and suppliers of water shall employ only persons appropriately licensed under Chapter 62-602, F.A.C., to be in on-site charge of the operation, supervision, or maintenance of a domestic wastewater or water treatment plant during any part of any day. Beginning May 1, 2011, suppliers of water shall employ only persons appropriately licensed under Chapter 62-602, F.A.C., to be in on-site charge of any water distribution system operation or maintenance activity that may affect water quality or quantity and that is listed in Footnote 1 under the tables in subparagraphs 62-699.310(2)(f)1. and 2., F.A.C.

(2)(4) All Permittees and suppliers of water or wastewater treatment plants shall employ licensed certified operators on-site at their domestic wastewater or water treatment plant(s) to fulfill the time or visit requirements as specified in paragraphs (a) through (e) below. Beginning May 1, 2011, suppliers of water shall employ licensed operators to staff their water distribution system as specified in paragraph (f) below.

(2) Operators with appropriate certification shall fulfill the time or visit requirements of the schedule below and perform treatment plant operation as assigned by the permittee or supplier.

(a)(3) Classification and Staffing Requirements for Domestic Wastewater Treatment Plants Other than Those Discussed Separately in paragraphs (b) through (d) Below and Lead/Chief Operators. All flow values used in this paragraph refer to the permitted capacity of the domestic wastewater treatment plant.

1.(a) Domestic Wastewater Treatment Plant Category I				
Treatment Process	Class A	Class B	Class C	Class D
<u>Processes to meet permit limits for total nitrogen with or without filtration; processes to meet permit limits for total phosphorus with or without filtration; or membrane processes, including microfiltration, ultrafiltration, nanofiltration, reverse osmosis, and membrane bioreactors. Processes that exceed secondary treatment standards including the Bardenpho process but does not include polishing ponds or lagoons.</u>	3.0 MGD and above Staffing by Class C or higher operator: 24 hours/day for 7 days/week. The lead/chief operator must be Class A.	0.5 MGD up to 3.0 MGD Staffing by Class C or higher operator: 16 hours/day for 7 days/week. The lead/chief operator must be Class B or higher.	0.1 MGD up to 0.5 MGD Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day. 0.05 MGD up to 0.1 MGD Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one visit on each weekend day. Less than 0.05 MGD Staffing by Class C or higher operator: 1 1/2 hour/day for 5 days/week and <u>one visit each</u> a weekend visit . For all of the above plants, <u>the</u> lead/chief operator must be Class C or higher.	Not Applicable None

2.(b) Domestic Wastewater Treatment Plant Category II

Treatment Process	Class A	Class B	Class C	Class D
Activated sludge processes or <u>modification, except other than</u> extended aeration, with or without <u>filtration filters</u> .	5.0 MGD and above Staffing by Class C or higher operator: 24 hours/day for 7 days/week. The lead/chief operator must be Class A.	1.0 MGD up to 5.0 MGD Staffing by Class C or higher operator: 16 hours/day for 7 days/week. The lead/chief operator must be Class B or higher.	0.25 MGD up to 1.0 MGD Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day. <hr/> 0.1 MGD up to 0.25 MGD Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one visit on each weekend day. <hr/> Less than 0.1 MGD Staffing by Class C or higher operator: 1/2 hour/day for 5 days/week and <u>one visit each</u> a weekend <u>visit</u> . <hr/> For all of the above plants, <u>the</u> lead/chief operator must be Class C or higher.	<u>Not Applicable</u> None

<u>3.(e) Domestic Wastewater Treatment Plant Category III</u>				
Treatment Process	Class A	Class B	Class C	Class D
Extended aeration, including process and oxidation ditches, with or without <u>filtration filters</u> .	8.0 MGD and above Staffing by Class C or higher operator: 24 hours/day for 7 days/week. The lead/chief operator must be Class A.	2.0 MGD up to 8.0 MGD Staffing by Class C or higher operator: 16 hours/day for 7 days/week. The lead/chief operator must be Class B or higher.	0.5 MGD up to 2.0 MGD Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day. <hr/> 0.25 MGD up to 0.5 MGD Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one <u>visit each weekend visit</u> . <hr/> 25,000 GPD up to 0.25 MGD Staffing by Class C or higher operator: 1/2 hour/day for 5 days/week and <u>one visit each a weekend visit</u> . <hr/> For all of the above plants, <u>the</u> lead/chief operator must be Class C or higher.	10,000 GPD up to 25,000 GPD Staffing by Class D or higher operator: 3 none <u>nonconsecutive</u> visits/week <u>on nonconsecutive days</u> for <u>a total of</u> 1 1/2 hours/week. <hr/> 2,000 up to 10,000 GPD Staffing by Class D or higher operator: 2 none <u>nonconsecutive</u> visits/week <u>on nonconsecutive days</u> for <u>a total of</u> 1 hour/week. <u>There shall be no more than 5 days between the last visit in one week and the first visit in the next week.</u> <hr/> For all of the above plants, <u>the</u> lead/chief operator must be Class D or higher.

4.(d) Domestic Wastewater Treatment Plant Category IV

Treatment Process <u>Either of the following processes with or without filtration: trickling filters or process and rotating biological contactors.</u>	Class A	Class B	Class C	Class D
	10 MGD and above	3.0 MGD up to 10 MGD	2.0 MGD up to 3.0 MGD	2,000 up to 25,000 GPD
	Staffing by Class C or higher operator: 24 hours/day for 7 days/week. The lead/chief operator must be Class A.	Staffing by Class C or higher operator: 16 hours/day for 7 days/week. The lead/chief operator must be Class B or higher.	Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day.	Staffing by Class D or higher operator: 2 nonconsecutive visits/week <u>on nonconsecutive days</u> for a total of 1 hour/week. <u>There shall be no more than 5 days between the last visit in one week and the first visit in the next week. The lead/chief operator must be Class D or higher.</u>
			0.75 MGD up to 2.0 MGD Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one visit on each weekend day.	
			25,000 GPD up to 0.75 MGD Staffing by Class C or higher operator: 1/2 hour/day for 5 days/week and <u>one visit each a weekend visit.</u>	

For all of the above plants, the lead/chief operator must be Class C or higher.

(b) Staffing Requirements for Domestic Wastewater Treatment Plants that Provide Reclaimed Water to a Reuse System Permitted Under Part III of Chapter 62-610, F.A.C.

1. The plant category shall be established in accordance with paragraph (a) above.

2. Additional minimum staffing requirements are provided in subsections 62-610.462(2) and (3), F.A.C., which shall be used in conjunction with the requirements in paragraph (a) above, with the most stringent requirements governing. Reductions in staffing requirements below the minimum established in subsections 62-610.462(2) and (3), F.A.C., shall not be allowed.

(c) Staffing Requirements for Domestic Wastewater Treatment Plants that Provide Reclaimed Water to a Reuse System Permitted Under Part V of Chapter 62-610, F.A.C.

1. The plant category shall be established in accordance with paragraph (a) above.

2. Additional minimum staffing requirements are provided in subsections 62-610.567(3), (4), and (5), F.A.C., which shall be used in conjunction with the requirements in paragraph (a) above, with the most stringent requirements governing. Reductions in staffing requirements below the minimum established in subsections 62-610.567(3), (4), and (5), F.A.C., shall not be allowed.

(d) Staffing Requirements for Residuals Management Facilities. Staffing requirements are provided in paragraph 62-640.880(2)(i), F.A.C.

(e)(4) Classification and Staffing Requirements for Water Treatment Plants and Lead/Chief Operators. All flow values used in this paragraph refer to the permitted maximum-day operating capacity of the water treatment plant.

1.(a) <u>Water Treatment Plant</u> Category I	Class A	Class B	Class C	Class D
<p>Treatment Process <u>Conventional filtration (coagulation, flocculation, sedimentation, and filtration); direct filtration, (coagulation and filtration); or lime softening. Chemical preparation with filtration including lime softening, coagulation, direct filtration.</u></p>	<p>5.0 MGD and above Staffing by Class C or higher operator: 24 hours/day for 7 days/week. The lead/chief operator must be Class A.</p>	<p>1.0 MGD up to 5.0 MGD Staffing by Class C or higher operator: 16 hours/day for 7 days/week. The lead/chief operator must be Class B or higher.</p>	<p>0.3 MGD up to 1.0 MGD Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day.</p> <hr/> <p>0.1 MGD up to 0.3 MGD Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one visit on each weekend day.</p> <hr/> <p>Less than 0.1 MGD Staffing by Class C or higher operator: 2 hours/day for 5 days/week and one visit on each weekend day.</p> <hr/> <p>For all of the above plants, <u>the</u> lead/chief operator must be Class C or higher.</p>	<p><u>Not Applicable</u> None</p>

	<u>2.(b) Water Treatment Plant Category II</u>			
Treatment Process	Class A	Class B	Class C	Class D
<u>Membrane processes, including electro dialysis, electro dialysis reversal, microfiltration, ultrafiltration, nanofiltration, and reverse osmosis. Demineralization including reverse osmosis, desalinization, electro dialysis and ultra filtration.</u>	6.5 MGD and above Staffing by Class C or higher operator: 24 hours/day for 7 days/week. The lead/chief operator must be Class A.	1.0 MGD up to 6.5 MGD Staffing by Class C or higher operator: 16 hours/day for 7 days/week. The lead/chief operator must be Class B or higher.	0.5 MGD up to 1.0 MGD Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day. 0.1 MGD up to 0.5 MGD Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one visit on each weekend day. Less than 0.1 MGD Staffing by Class C or higher operator: 1 hour/day for 5 days/week and one visit on each weekend day. For all of the above plants, <u>the</u> lead/chief operator must be Class C or higher.	<u>Not Applicable</u> None

3.(e) <u>Water Treatment Plant</u> Category III	Class A	Class B	Class C	Class D
<p>Treatment Process <u>Activated carbon</u> <u>processes:</u> <u>diatomaceous earth</u> <u>filtration; ion</u> <u>exchange for removal</u> <u>of any primary</u> <u>contaminant; iron and</u> <u>manganese removal</u> <u>(oxidation, detention,</u> <u>and filtration); or slow</u> <u>sand filtration.</u> Filtration (other than category II) including primary treatment or ion exchange.</p>	<p>8.0 MGD and above Staffing by Class C or higher operator: 24 hours/day for 7 days/week. The lead/chief operator must be Class A.</p>	<p>2.0 MGD up to 8.0 MGD Staffing by Class C or higher operator: 16 hours/day for 7 days/week. The lead/chief operator must be Class B or higher.</p>	<p>1.0 MGD up to 2.0 MGD Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day.</p> <hr/> <p>0.5 MGD up to 1.0 MGD Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one visit on each weekend day.</p> <hr/> <p>0.25 MGD up to 0.5 MGD Staffing by Class C or higher operator: 1 hour/day for 5 days/week and one visit on each weekend day.</p> <hr/> <p>Less than 0.25 MGD Staffing by Class C or higher operator: 5 visits/week and one <u>visit each weekend for</u> <u>a total of 1.8</u> <u>hours/week visit.</u></p> <hr/> <p>For all of the above plants, <u>the</u> lead/chief operator must be Class C or higher.</p>	<p><u>Not Applicable</u> None</p>

4.(d) Water Treatment Plant Category IV	Class A	Class B	Class C	Class D
<p><u>Aeration for removal of any primary contaminant; alkalinity/pH adjustment; chloramination; chlorine dioxide for oxidation or disinfection; fluoridation; ion exchange for removal of any secondary contaminant, sulfide, or any unregulated contaminant; or ozonation. Primary treatment (includes aeration, stabilization, disinfection).</u></p>	<p><u>Not Applicable</u> None.</p>	<p>10 MGD and above Staffing by Class C or higher operator: 16 hours/day for 7 days/week. The lead/chief operator must be Class B or higher.</p>	<p>5.0 MGD up to 10 MGD Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day.</p>	<p>Less than Water plants serving the minimum regulated size public water system up to 0.1 MGD:</p>
			<p>3.0 MGD up to 5.0 MGD Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one visit on each weekend day.</p>	<p>Staffing by a Class D or higher operator: 3 nonconsecutive visits/week <u>on nonconsecutive days for a total of 0.6 hour/week. The</u> Lead/chief operator must be Class D or higher.</p>
			<p>1.0 MGD up to 3.0 MGD Staffing by Class C or higher operator: 1 hour/day for 5 days/week and one visit on each weekend day.</p>	
			<p>0.1 MGD up to 1.0 MGD Staffing by Class C or higher operator: 5 visits/week and one <u>visit each weekend for a total of 1.2 hours/week</u> visit.</p>	
			<p>For all of the above plants, <u>the</u> lead/chief operator must be Class C or higher.</p>	

<u>5.(e) Water Treatment Plant Category V</u>	Class A	Class B	Class C	Class D
<u>Aeration for removal of any secondary contaminant, sulfide, or any unregulated contaminant; chlorination; corrosion control inhibitor addition; hypochlorination; iron or manganese sequestration; or ultraviolet radiation. Disinfection only.</u>	<u>Not Applicable</u> None.	<u>Not Applicable</u> None.	5.0 MGD and above Staffing by Class C or higher operator: 6 hours/day for 5 days/week and one visit on each weekend day. 3.0 MGD up to 5.0 MGD Staffing by Class C or higher operator: 1 hour/day for 5 days/week and one visit on each weekend day. 0.25 MGD up to 3.0 MGD Staffing by Class C or higher operator: 5 visits/week and one visit each weekend for a total of 0.6 hour/week visit. For all of the above plants, the lead/chief operator must be Class C or higher.	50,000 GPD up to 0.25 MGD Staffing by Class D or higher operator: 3 nonconsecutive visits/week <u>on nonconsecutive days for a total of 0.3 hour/week.</u> Less than <u>Water plants serving the minimum regulated size public water systems up to 50,000 GPD.</u> Staffing by a Class D or higher operator: 2 nonconsecutive visits/week <u>on nonconsecutive days for a total of 0.2 hour/week. There shall be no more than 5 days between the last visit in one week and the first visit in the next week.</u> For all of the above, plants, the <u>lead/</u> chief operator must be Class D or higher.

(f) Classification and Staffing Requirements for Water Distribution Systems. For the purpose of this paragraph, the number of persons served by a water distribution system is the retail number of persons served by that individual system and excludes persons served by regulated consecutive systems receiving water from that system.

<u>1. Water Distribution System Category I</u>	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>
<u>Distribution System</u> <u>Distribution system</u> <u>connected to a Class</u> <u>A, B, or C water</u> <u>treatment plant.</u>	<u>Serving 100,000 or</u> <u>more persons</u> <u>Beginning May 1,</u> <u>2011, the lead/chief</u> <u>operator must be a</u> <u>Level 1 water</u> <u>distribution system</u> <u>operator or a Class C</u> <u>or higher water</u> <u>treatment plant</u> <u>operator. Additionally,</u> <u>beginning May 1,</u> <u>2011, a Level 3 or</u> <u>higher water</u> <u>distribution system</u> <u>operator or a Class C</u> <u>or higher water</u> <u>treatment plant</u> <u>operator shall be in</u> <u>on-site charge of any</u> <u>water distribution</u> <u>system operation or</u> <u>maintenance activity</u> <u>that may affect water</u> <u>quality or quantity and</u> <u>that is listed in</u> <u>Footnote 1 below</u> <u>unless the activity is</u> <u>being performed by a</u> <u>licensed underground</u> <u>utility and excavation</u> <u>contractor or licensed</u> <u>plumbing contractor.</u>	<u>Serving at least 10,000</u> <u>persons and less than</u> <u>100,000 persons</u> <u>Beginning May 1,</u> <u>2011, the lead/chief</u> <u>operator must be a</u> <u>Level 2 or higher</u> <u>water distribution</u> <u>system operator or a</u> <u>Class C or higher</u> <u>water treatment plant</u> <u>operator. Additionally,</u> <u>beginning May 1,</u> <u>2011, a Level 3 or</u> <u>higher water</u> <u>distribution system</u> <u>operator or a Class C</u> <u>or higher water</u> <u>treatment plant</u> <u>operator shall be in</u> <u>on-site charge of any</u> <u>water distribution</u> <u>system operation or</u> <u>maintenance activity</u> <u>that may affect water</u> <u>quality or quantity and</u> <u>that is listed in</u> <u>Footnote 1 below</u> <u>unless the activity is</u> <u>being performed by a</u> <u>licensed underground</u> <u>utility and excavation</u> <u>contractor or licensed</u> <u>plumbing contractor.</u>	<u>Serving at least 1,000</u> <u>persons and less than</u> <u>10,000 persons</u> <u>Beginning May 1,</u> <u>2011, the lead/chief</u> <u>operator must be a</u> <u>Level 3 or higher</u> <u>water distribution</u> <u>system operator or a</u> <u>Class C or higher</u> <u>water treatment plant</u> <u>operator. Additionally,</u> <u>beginning May 1,</u> <u>2011, a Level 3 or</u> <u>higher water</u> <u>distribution system</u> <u>operator or a Class C</u> <u>or higher water</u> <u>treatment plant</u> <u>operator shall be in</u> <u>on-site charge of any</u> <u>water distribution</u> <u>system operation or</u> <u>maintenance activity</u> <u>that may affect water</u> <u>quality or quantity and</u> <u>that is listed in</u> <u>Footnote 1 below</u> <u>unless the activity is</u> <u>being performed by a</u> <u>licensed underground</u> <u>utility and excavation</u> <u>contractor or licensed</u> <u>plumbing contractor.</u>	<u>Serving less than 1,000</u> <u>persons</u> ² <u>Beginning May 1,</u> <u>2011, the lead/chief</u> <u>operator must be a</u> <u>Level 4 or higher</u> <u>water distribution</u> <u>system operator or a</u> <u>Class D or higher</u> <u>water treatment plant</u> <u>operator. Additionally,</u> <u>beginning May 1,</u> <u>2011, a Level 4 or</u> <u>higher water</u> <u>distribution system</u> <u>operator or a Class D</u> <u>or higher water</u> <u>treatment plant</u> <u>operator shall be in</u> <u>on-site charge of any</u> <u>water distribution</u> <u>system operation or</u> <u>maintenance activity</u> <u>that may affect water</u> <u>quality or quantity and</u> <u>that is listed in</u> <u>Footnote 1 below</u> <u>unless the activity is</u> <u>being performed by a</u> <u>licensed underground</u> <u>utility and excavation</u> <u>contractor or licensed</u> <u>plumbing contractor.</u>

¹ The following water distribution system operation or maintenance activities may affect water quality or quantity: cleaning (swabbing, pigging, scraping, or air-purging) existing water mains; tapping, depressurizing/dewatering, or disinfecting existing water mains; dewatering, cleaning, or disinfecting existing finished-water storage tanks; and manually operating existing pumps, or adjusting existing automatic pump controls or automatic control valves, as necessary to regulate water distribution system flows or pressures.

² For wholesale systems, a Category I water distribution system serving less than 1,000 persons shall be classified as a Level 3 water distribution system.

2. Water Distribution System Category II

<u>Distribution System</u>	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>
<u>Distribution system</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Beginning May 1,</u>
<u>connected to a Class D</u>				<u>2011, the lead/chief</u>
<u>water treatment plant.</u>				<u>operator must be a</u>
				<u>Level 4 or higher</u>
				<u>water distribution</u>
				<u>system operator or a</u>
				<u>Class D or higher</u>
				<u>water treatment plant</u>
				<u>operator. Additionally,</u>
				<u>beginning May 1,</u>
				<u>2011, a Level 4 or</u>
				<u>higher water</u>
				<u>distribution system</u>
				<u>operator or a Class D</u>
				<u>or higher water</u>
				<u>treatment plant</u>
				<u>operator shall be in</u>
				<u>on-site charge of any</u>
				<u>water distribution</u>
				<u>system operation or</u>
				<u>maintenance activity</u>
				<u>that may affect water</u>
				<u>quality or quantity and</u>
				<u>that is listed in</u>
				<u>Footnote 1 below</u>
				<u>unless the activity is</u>
				<u>being performed by a</u>
				<u>licensed underground</u>
				<u>utility and excavation</u>
				<u>contractor or licensed</u>
				<u>plumbing contractor.</u>

¹ Water distribution system operation and maintenance activities that may affect water quality or quantity include the following: cleaning (swabbing, pigging, scraping, or air-purging) existing water mains; tapping, depressurizing/dewatering, or disinfecting existing water mains; dewatering, cleaning, or disinfecting existing finished-water storage tanks; and manually operating existing pumps, or adjusting automatic pump controls or automatic control valves, as necessary to regulate water distribution system flows or pressures.

Specific Authority 403.869, 403.88(4)(3) FS. Law Implemented 403.853(6), 403.867, 403.875(1)(f), 403.88(1), (2), (3) FS. History—New 11-17-70, Revised 10-24-74, Amended 12-25-75, 6-10-76, 1-21-81, Formerly 17-16.12 and 17-16.13, Amended 5-8-85, Formerly 17-16.370, 17-602.370, 17-699.310, Amended _____.

62-699.311 Additional Classification and Staffing Requirements.

(1) An operator meeting the lead/chief operator class for classification level of the treatment plant shall be available during all periods of domestic wastewater or water treatment plant operation, and beginning May 1, 2011, an operator meeting the lead/chief operator level for the water distribution system shall be available during all periods of distribution system operation. “Available” means able to be contacted as

needed to initiate the appropriate action in a timely manner. Daily checks of all plants shall be performed by the permittee, or supplier, or his representative or agent 5 days per week for all Class C and D plants.

(2) A daily check of each Class C or D domestic wastewater or water treatment plant shall be performed by the permittee or supplier of water, or his or her representative or agent, each day the plant is in operation or 5 days per week, whichever is less. The daily check of a plant shall include on-site observation of the plant to verify that it is functioning and may include the taking of readings or samples or the performing of tests or measurements; and the daily check of a plant shall be noted in the operation and maintenance log required under paragraph 62-555.350(12)(a), F.A.C., and

subsection 62-602.650(5), F.A.C. A daily visit, or daily staffing, of a plant by an appropriately licensed operator fulfills the requirement for a daily check of the plant. Nothing in this subsection shall be construed as allowing anyone to perform compliance tests for domestic wastewater unless he or she meets applicable qualification requirements in subsection 62-601.400(3), F.A.C., and nothing in this subsection shall be construed as allowing anyone to perform compliance measurements for drinking water unless he or she meets applicable qualification requirements in subsection 62-550.550(1) or (2), F.A.C.

(3)(2) A Class D operator shall not be the lead/chief operator of no more than one domestic water and one wastewater treatment plant plus one water treatment plant and distribution system except in cases where multiple plants and distribution systems are under the same ownership at any time. In those cases where the plants and distribution systems are all under the same ownership, a Class D operator may be the lead/chief operator of as many as five domestic wastewater treatment plants, as many as five water treatment plants and distribution systems, or any combination of domestic wastewater treatment plants plus water treatment plants and distribution systems totaling five.

(4)(3) For proposed new domestic wastewater or water treatment plants that are under an electronic surveillance system, or plant with an automatic control system, or electronic control system and for existing domestic wastewater or water treatment plants that are under an electronic surveillance system, automatic control system, or electronic control system and that have been in compliance with applicable water quality standards and applicable operation and maintenance requirements for the past year, the daily staffing requirements in paragraph 62-699.310(2)(a) or (e), F.A.C., shall hours may be reduced in accordance with paragraph (a) or (b) below upon written request by the permittee or supplier of water and written approval by the Department. However, if the Department approves a reduction in staffing requirements under this subsection and the plant's electronic surveillance system, automatic control system, or electronic control system subsequently malfunctions or fails, the Department's approval of reduced staffing requirements shall be considered temporarily revoked while the plant's electronic surveillance system, automatic control system, or electronic control system is not functioning properly.

(a) For plants that are under an electronic surveillance system or automatic control system, staffing requirements shall be reduced as follows:

1. Staffing for a Class A plant shall be reduced to no less than staffing by a Class C or higher operator 12 hours/day for 7 days/week with the 12 hours/day of staffing occurring during the 12-hour period of greatest influent flow or water production. The class of the lead/chief operator shall not be reduced.

2. Staffing for a Class B plant shall be reduced to no less than staffing by a Class C or higher operator 8 hours/day for 7 days/week with the 8 hours/day of staffing occurring during the 8-hour period of greatest influent flow or water production. The class of the lead/chief operator shall not be reduced.

3. Staffing for a Class C plant shall be reduced to no less than the minimum staffing required for the next smaller size of Class C plant in the same treatment process category.

(b) For plants that are under an electronic control system, staffing requirements shall be reduced as follows:

1. Staffing for a Class A plant shall be reduced to no less than staffing by a Class C or higher operator 6 hours/day for 5 days/week and one visit by a Class C or higher operator on each weekend day. The class of the lead/chief operator shall not be reduced.

2. Staffing for a Class B plant shall be reduced to no less than staffing by a Class C or higher operator 4 hours/day for 5 days/week and one visit by a Class C or higher operator on each weekend day. The class of the lead/chief operator shall not be reduced.

3. Staffing for a Class C plant shall be reduced to no less than the minimum staffing required for the smallest size of Class C plant in the same treatment process category.

(5)(4) At in Class B domestic wastewater or water treatment plants, the 16 hours/day of staffing shall occur during the 16-hour period, or two 8-hour periods, of greatest second shift should cover the next highest influent flow or peak water production period.

(6)(5) At in Class A, B, or and C domestic wastewater or water treatment plants, a licensed Class C or higher certified operator shall be on-site and in charge of each required shift and for periods of required staffing time when the lead/chief or chief operator is not on-site.

(7)(6) For proposed new Category V Those water treatment plants; that are connected to in which the treatment is limited to disinfection and share the same water distribution system; and for existing Category V water treatment plants that are connected to the same water distribution system and that have been in compliance with applicable water quality standards and applicable operation and maintenance requirements for the past year, the staffing requirements in subparagraph 62-699.310(2)(e)5., F.A.C., shall be may have the staff requirement reduced in accordance with paragraphs (a) through (d) below upon written request by the supplier of water and written approval by the Department. This reduction must be approved by the Department.

(a) The cumulative number of staffing hours for all the eligible Category V plants connected to the distribution system shall be reduced to no less than the number of staffing hours that would be required for a single Category V plant having a permitted maximum-day operating capacity equal to the

cumulative permitted maximum-day operating capacity of all the eligible Category V plants connected to the distribution system.

(b) The cumulative number of staffing hours for all the eligible Category V plants connected to the distribution system shall be divided among the eligible plants in 0.1-hour, or one-visit, increments approximately proportional to the permitted maximum-day operating capacity of each eligible plant.

(c) Staffing requirements for each eligible Category V plant shall be reduced no less than a visit on each day that staffing time or a visit is required for the plant under subparagraph 62-699.310(2)(e)5., F.A.C.

(d) The class of the lead/chief operator for each Category V plant shall not be reduced.

~~(7) Plant classification shall be determined upon permitted design flow or treatment capacity, degree of risk to public health or the environment and complexity of treatment plant operation.~~

(8) For existing domestic wastewater or water treatment plants that are treating or producing less than the permitted capacity of the plant and that have been in compliance with applicable water quality standards and applicable operation and maintenance requirements for the past year, the staffing requirements in paragraph 62-699.310(2)(a) or (e), F.A.C., shall be reduced in accordance with paragraphs (a) and (b) below.
~~Upon written request by the permittee or supplier of water and written approval by the Department, plants which use less than the plant's permitted design flow or treatment capacity may decrease the staffing requirement. However, the lead or chief operator must remain at the same class as the plant. The plant must not be in violation of any Department rule for this paragraph to apply.~~

(a) Staffing hours and visits shall be reduced to no less than the minimum staffing that would be required if the permitted capacity of a domestic wastewater treatment plant were considered to be equal to the actual treatment plant influent flow or if the permitted capacity of a water treatment plant were considered to be equal to the actual maximum-day production.

(b) The class of the lead/chief operator shall not be reduced.

(9) The classification of the operator, the number of days per week, and the number of hours per day specified in paragraphs 62-699.310(2)(a) through (e), F.A.C., the above charts are minimum requirements. Upon proper justification the Department shall may require a higher classification, more frequent visits, or more hours per day in those cases where additional staffing is necessary to ensure that a facility will comply with permit requirements or where there is a history of repeated non-compliance with permit requirements or applicable rule requirements the treatment system has public access irrigation or is in close physical proximity to Class I

~~waters, Class II waters approved for shellfish harvesting, or Outstanding Florida Waters. The Department shall provide to the permittee or supplier of water written notice of its intent to impose these more stringent requirements, setting forth with specificity the reasons that which justify the Department's proposed actions. Within fourteen days of receipt of notification, the permittee or supplier of water may petition for request an administrative public hearing under Sections 120.569 and 120.57, F.S. before a hearing officer pursuant to Chapter 62-103, F.A.C., and Chapter 120, Florida Statutes.~~

(10) For Class A or and B domestic wastewater or water treatment plants, the lead/chief operator shall be employed at the plant full time. "Full time" shall mean at least 4 days per week, working a minimum of 35 hours per week, including leave time. Upon written request by the permittee or supplier of water and written approval by from the Department, the lead/chief operator may supervise the operation of two plants located in close physical proximity or multiple plants connected to a single water distribution system or domestic wastewater collection system when such plants are under an electronic surveillance and control system. The lead/chief operator's time shall be allocated between or among the plants and electronic control system based upon the size and complexity of the plants and the availability of an electronic surveillance and control system for the plants.

(11) For Class C domestic wastewater or water treatment plants, the lead/chief operator shall staff or visit the plant at least twice per month, and for Class D domestic wastewater or water treatment plants, the lead/chief operator shall visit the plant at least once per month.

(12)(H) When a domestic wastewater or water treatment plant treatment system includes a combination of more than one treatment process, the most complex treatment process shall be used to classify the plant.

(13) For domestic wastewater or water treatment plants that have greater influent flow or water production on weekends than on weekdays, required weekend visits may be interchanged with the same number of required weekdays of staffing upon written request by the permittee or supplier of water and written approval by the Department. The total number of days per week that a plant is staffed versus visited shall not be reduced.

(14) A licensed water treatment plant operator may serve both as an operator, or the lead/chief operator, of a water treatment plant and as an operator, or the lead/chief operator, of the water distribution system connected to that plant.

Specific Authority ~~403.869~~, 403.88(4) F.S. Law Implemented ~~403.867~~, 403.88(1), (2), (3) FS. History--New 11-17-70, Revised 10-24-74, Amended 12-25-75, 6-10-76, Formerly 17-16.13, Amended 5-8-85, Formerly 17-16.375, 17-602.375, 17-699.311, Amended 7-5-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Janet G. Llewellyn, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi A. Drew, Deputy Director for Regulatory Programs and Energy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 1, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2006

DEPARTMENT OF JUVENILE JUSTICE

Probation

RULE NOS.:	RULE TITLES:
63D-5.001	Purpose and Scope
63D-5.002	Definitions
63D-5.003	Planning the Supervision of the Youth and Selecting Relevant Interventions
63D-5.004	Classification and Reclassification
63D-5.005	Risk-Based Interventions
63D-5.006	Violations of Supervision
63D-5.007	Termination of Supervision

PURPOSE AND EFFECT: The rule implements the provisions of Section 985.435 and elsewhere in Chapter 985, F.S., requiring the department to administer probation and postcommitment probation programs under classification scales that take into account the child's needs and risks.

SUMMARY: The rule establishes the standards and procedures for the provision of focused probation case management. This includes the use of information gathered during intake, and the creation of an individualized supervision plan based upon risk. The need for reclassification, regular contact, and the methods for dealing with violations of supervision are also addressed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 985.14, 985.64 FS.

LAW IMPLEMENTED: 985.14, 985.435, 985.601(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Tuesday, June 12, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., Ste. 312, General Counsel's Conference Room, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63D-5.001 Purpose and Scope.

This rule establishes the standards and procedures for the provision of focused probation case management. This includes the use of information gathered during intake, which results in the classification of the youth and the development of an intervention plan, and the coordination of probation services for youth on probation and post-commitment probation. The standards and procedures for the provision of focused case management for youth on conditional release status are established in rule Chapter 63D-7, F.A.C.

Specific Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.601(2) FS. History--New _____.

63D-5.002 Definitions.

For purposes of this rule chapter, the following terms shall be defined as follows:

(1) Affidavit for Order to Take Into Custody – The form used by the JPO to formally request a pick-up order when the youth's whereabouts are unknown. Once this document is notarized and sent to the court, an Order to Take Into Custody is issued to detain the child and bring the child back before the court. This is only to be used for youth who abscond or escape from the supervision of the department. The Affidavit for Order to Take Into Custody (DJJ/IS Form 15, February 2005) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 105, Tallahassee, FL 32399-3100.

(2) Affidavit/Petition for Violation of Probation – The instrument used by the JPO to notify the court of alleged violations of probation supervision if the JPO and JPOS determine that court action is warranted. The Affidavit/Petition for Violation of Probation (DJJ/IS Form 10, February 2005) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 105, Tallahassee, FL 32399-3100.

(3) Criminogenic needs/risk factors – Critical factors in predicting future criminal behavior, as identified by research in the area of juvenile delinquency. The PACT recognizes these factors and classifies them into critical domain areas known to influence criminal behavior. The JPO and JPOS use this data to measure the individual risk posed by each youth and to design a plan most responsive to reducing the level of risk posed by each factor.

(4) Juvenile Probation Officer (JPO) – A Juvenile Probation Officer (JPO) is an employee of the department responsible for the intake of youth upon arrest and the supervision of youth on court ordered supervision in the

community. The JPO serves as the primary case manager for the purpose of managing, coordinating and monitoring the services provided and sanctions required for each youth. In this rule chapter whenever a reference is made to the objectives and duties of a JPO it shall also apply to case management staff of a provider agency contracted to perform these duties and objectives.

(5) Juvenile Probation Officer Supervisor (JPOS) – A Juvenile Probation Officer Supervisor (JPOS) provides first line oversight and management of the JPOs in the unit. The JPOS is responsible for overall direction and guidance of the services provided by the JPO including, but not limited to reviewing the progress of cases, documenting compliance with law and court orders, and approving intervention plans and revisions to intervention plans. In this rule chapter whenever a reference is made to the tasks and duties of a JPOS it shall also apply to case management staff supervisor of a provider agency contracted to perform these duties and tasks.

(6) Positive Achievement Change Tool (PACT) – The PACT is a web-based assessment instrument located in the Intake Web module of the Juvenile Justice Information System (JJIS) and is scored automatically following interviews with the youth, family and collateral sources to determine the risk to reoffend. The PACT identifies a series of risk factors such as substance abuse, mental illness or family history that have proven to be related to future offending. As progress is made in the problem areas specific to each youth the PACT is used to calculate and document how individual risk factors have increased or decreased over time. The PACT is incorporated in subsection 63D-1.003(1), F.A.C.

(7) Progress Report – The form used to communicate to the court progress the youth is making. The form may be used for a judicial review, jurisdiction transfer or a request for termination of supervision, probation, postcommitment probation or conditional release supervision. The Progress Report form (DJJ/IS Form 12, September 2006) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 105, Tallahassee, FL 32399-3100.

(8) Risk-based intervention – Services and sanctions planned and delivered to the youth and his or her family with a specified application that is focused on the reduction of further delinquency behavior. The level of risk to reoffend and the youth's specific risk factors determines the characteristics and magnitude of the services and sanctions planned and delivered to intervene in the youth's life that will most effectively reduce that risk. At the low end of the intervention scale could be an older youth with no delinquency history that needs only to complete a restitution order and to report to his or her probation officer once a month. An example at the other end of the scale would be a younger offender with a serious delinquency history with school attendance problems, substance abuse issues who has been charged with a crime of

violence. This youth might need mental health counseling, substance abuse treatment, twice a week contact with his or her JPO and tutoring at school.

(9) Youth-Empowered Success Plan – The plan used to guide the supervision of the youth and to plan interventions by Probation and Community Intervention staff as the key case management document. The Youth-Empowered Success (YES) Plan (DJJ/PACT Form 4, October 2006) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 105, Tallahassee, FL 32399-3100.

Specific Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.601(2) FS. History–New _____.

63D-5.003 Planning the Supervision of the Youth and Selecting Relevant Interventions.

(1) The Juvenile Probation Officer (JPO) must prepare the initial Youth-Empowered Success (YES) plan within 14 days of the youth's disposition date, or within 14 days of the youth's release from a commitment program in the case of post-commitment probation.

(a) To the extent possible, the youth and family shall participate in the development of the plan. In particular, the youth and family shall be consulted to identify goals and to assess their ability to fulfill their responsibilities.

(b) During development, the youth and parents or guardians must be informed of the consequences of failing to comply with the objectives and goals of the plan.

(c) The JPO shall document efforts made to facilitate parental involvement.

(2) The YES plan is the primary planning tool for administration and organization of case management services for the youth. The plan must detail how the youth, family and JPO will achieve the treatment goals and sanctions found in the dispositional court order, as well as any voluntary goals identified in the course of working with the youth and family.

(a) The plan must be performance based, with measurable and positive objectives, and described outcomes.

(b) Objectives described in the plan must address:

1. Public safety, accountability and competency development;

2. Court ordered sanctions and treatment goals

3. Mutually agreed to interventions to mitigate risk factors identified in the assessment generated by the PACT.

(c) Each goal must identify the major action steps required for achievement, and the individual(s) primarily responsible for each step. Realistic target dates must be recorded for each goal and action step.

(3) The JPO, Juvenile Probation Officer Supervisor (JPOS) and the youth must sign the YES plan. Parent(s)/guardian(s) must acknowledge the plan by signature

unless the youth is 18 years of age or older or is residing separately from parents or legal guardians on their own in the community.

(4) The JPO must provide the youth and family with a legible copy of the YES plan.

(5) The JPO must evaluate and, if necessary, update the plan at least every 90 days, and reflect in writing whenever sanctions are completed or modifications to goals or sanctions are made.

(6) Modifications to the plan may be accomplished as follows:

(a) If new needs are identified during the course of supervision, the JPO may include voluntary goals to address the needs.

(b) Formal adjustments to court ordered objectives must be made by the court during a judicial review. If jurisdiction is not in the county where supervision occurs, then the JPO may ask the youth to voluntarily agree to the modification. Absent agreement, judicial assistance must be requested.

(c) Subsequent disposition for pending cases shall also necessitate modification of the plan to reflect changes in sanctions, treatment goals and court ordered conditions.

(7) Formal reviews of the plan with the youth and family must occur every 90 days. The JPO shall review with the youth and family the accomplished objectives and the need for continued progress on those that have not been accomplished. The youth and parent(s)/guardian(s) must initial the plan to indicate that it was reviewed. In situations where the department cannot compel the parents to participate in the planning and review process, the JPO shall document efforts made to obtain parental involvement.

Specific Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.601(2) FS. History--New _____.

63D-5.004 Classification and Reclassification.

(1) Prior to a youth's initial placement on supervision, the intake JPO must assess and classify the youth based upon the following factors:

(a) The risk score indicated on the PACT (low, moderate, moderate-high or high); and

(b) The quantity and type of other contacts made by service providers working with the youth and his or her family.

(2) Service providers making contact with the youth and family must document their contacts in writing and transmit that information to the JPO or contracted case manager in the manner indicated within their contract or service agreement.

(3) Over time, the initial classification shall be reviewed. To accommodate changes in the youth's behavior, supervision and treatment a periodic review of the youth's classification must be held.

(a) A staffing to review classification must take place within 90 days of the youth being placed on supervision, and within every 90 days thereafter. A reclassification staffing shall

also be conducted, regardless of timeframe, whenever there is a change in the youth's status, such as when the youth obtains new charges or returns from a period of absconding.

(b) In preparation for a reclassification review for youth who previously scored moderate-high or high-risk, a PACT reassessment must also be completed prior to the staffing.

(c) The JPO and the JPOS conduct the reclassification staffing. At a minimum, the staffing must consider the following items:

1. Any changes in the youth's needs;

2. The number and type of charges the youth has obtained in the last classification period, and any pending charges; and

3. Progress in completing YES plan objectives.

(d) Written justification must be provided for any reclassification decision and must be documented in writing on the PACT.

Specific Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.601(2) FS. History--New _____.

63D-5.005 Risk-Based Interventions.

(1) The type and magnitude of the intervention is determined by the risk to reoffend.

(a) The specific type of intervention is tied to the specific individual risk factor identified by the PACT.

(b) If the intervention is not available then the reason for its unavailability must be documented.

(2) The JPO shall document youth participation in the specified intervention by various methods, including the following:

(a) Face to face observation of the youth.

(b) Telephone contact with the youth, family or service provider.

(c) Review of written documentation as to the compliance and progress of the youth in the program or as the youth and family participate in service delivery.

(d) Reports, written or verbal, from collateral contacts knowledgeable about the youth.

(3) Progress must be assessed on a periodic basis.

(4) When the periodic review identifies the need for a change then the intervention must be adjusted.

(5) Youth assessed as high risk to reoffend by the PACT must be referred for risk-based interventions designed to reduce or eliminate dynamic criminogenic risk factors, unless the JPO documents in writing barriers to participation, such as the lack of available services, lack of youth readiness to voluntarily participate, transportation difficulties, or lack of parental approval for participation. The JPO shall monitor youth participation in risk-based interventions to ensure attendance and participation. Examples of intervention activities used by the JPO to monitor progress include: face-to-face contact with the youth, telephone contact with youth, parent or service provider, collateral contact with the

program, family verification of participation or youth self report of progress and review of written documentation as to the compliance and progress of the youth in the program. Progress in addressing the criminogenic need shall be monitored through PACT reassessments. The type and frequency of interventions should be determined on a regular and periodic basis, but at least every 90 days.

Specific Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.601(2) FS. History–New _____.

63D-5.006 Violations of Supervision.

(1) Violations of probation supervision include the following:

- (a) New law violations.
- (b) Non-law technical violations.
- (c) Absconding from supervision.

(2) The JPO must investigate known or reported violations of supervision. Such an investigation must include interviewing the supervised youth if he or she can be found, interviewing parents, if needed, school officials, and other important collateral contacts. The JPO must staff the case with his or her unit supervisor to make a final decision on the action to pursue.

(3) In the case of a new law violation, the JPO must file an Affidavit for Violation of Supervision for any such violation that results in the filing of a delinquency petition. All applicable non-law technical violations must be included in the affidavit. The JPO is not precluded from filing an affidavit based on the new law violation prior to the state attorney's decision regarding a petition.

(4) Non-law technical violations include violations of court ordered sanctions, such as not reporting to the JPO as directed, failing to complete community service, failing to follow through with a referral, missing school, or failing to make restitution payments. Responses to non-law technical violations must be progressive, but must also give effect to orders of the court that require report of any and all technical violations.

(a) If the JPO and the JPOS decide that a formal court hearing is not needed to address the violation, the JPO may address the non-compliant behavior with an intervention, such as addressing the behavior with a behavior contract, conducting a formal staffing with parents, referral of the youth to risk-based interventions or increasing supervision. Under no circumstances can a JPO informally modify conditions related to contact with a victim.

(b) If the JPO and the JPOS decide that court action is warranted, an affidavit must be filed with the state attorney alleging that the youth is in violation of supervision. The affidavit must be filed within 7 days of becoming aware of the technical violation. Any technical violations that had been informally addressed, particularly those that involve related non-compliance, may be added to the affidavit.

(5) Absconding occurs when a supervised youth goes in a clandestine manner out of the jurisdiction of the court in order to avoid legal process, or when the youth hides, conceals or absents himself or herself with the intent to avoid legal process. Mere absence or not appearing for appointments is not absconding, but may constitute a technical violation of probation conditions. To constitute absconding, the JPO must have cause to believe that the youth is deliberately avoiding supervision, or has removed himself or herself from the home or community. A youth reported by parents or guardians to have run away, is considered an absconder.

(a) At the point the JPO considers the youth to have absconded, the JPO must document all efforts to locate the youth considered an absconder.

(b) Within one working day of determining that the youth has absconded, the JPO must complete and file with the court an Affidavit for An Order to Take Into Custody, and an Affidavit for Violation of Probation/Post-Commitment Probation.

Specific Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.439, 985.601(2) FS. History–New _____.

63D-5.007 Termination of Supervision.

(1) A youth's progress must be documented in the case file or YES plan in writing, and submitted to the court using the Progress Report form. Progress reports must be submitted to the court within 1 working day of the dated ordered by the court or pursuant to a scheduled formal judicial review.

(2) The JPO must recommend termination of supervision when:

(a) A youth has complied with court ordered sanctions and goals;

(b) The department has lost jurisdiction because the youth has reached the maximum age provided in statute; or

(c) The department has lost jurisdiction based upon the maximum period of supervision applicable to the charge.

(3) Prior to requesting termination, the JPO must check with local law enforcement to determine if there are outstanding warrants or charges for the youth that have not been filed. At a minimum, this includes the sheriff and police department of the youth's county and city of residence. If the capacity to do so is available, the JPO must also check the Florida Crime Information Center and National Crime Information Center (FCIC/NCIC) to determine if there are outstanding warrants.

(4) Fifteen days prior to the loss of jurisdiction of a case, the JPO must notify the court regarding the impending loss of jurisdiction. A Progress Report must also be submitted if there is a need to recommend that the court retain jurisdiction over restitution. Upon the loss of jurisdiction, the JPO must close the case.

(5) Within 5 working days of receipt of the court's termination order or the date of loss of jurisdiction, the JPO must update the Juvenile Justice Information System.

(6) The JPO must notify the youth and parents or guardians in writing that the youth is no longer under supervision.

(7) Termination may be sought for youth who are in compliance with all court ordered sanctions, and in substantial compliance with restitution. Substantial compliance means that the youth has exhibited through routine payments the intention to follow through with his or her obligation. The JPO must verify the amount of paid restitution with the clerk of court.

(a) Except as provided in subsection (7), the JPO must recommend that the court retain jurisdiction for restitution if full payment has not yet been made.

(b) The JPO must notify the youth and parents or guardians that by retaining jurisdiction the court may find the youth in contempt for failure to make timely payments. The JPO must also advise the youth and parents or guardians that the court may request that they enter into a voluntary promissory note for payment. At no time, should the JPO become involved in the negotiation or development of the promissory note.

Specific Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.601(2) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack Ahearn, Office of Probation and Community Intervention
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Darryl Olson, Assistant Secretary for Probation and Community Intervention
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 6, 2007

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-11.001
 RULE TITLE: Application for Licensure Examination

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to specify the supporting documents required for submission with licensure application.

SUMMARY: The proposed rule amendment specifies the supporting documents required for submission with licensure application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 460.405, 460.406 FS.

LAW IMPLEMENTED: 460.406 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-11.001 Application for Licensure Examination.

(1) through (2) No change.

(3) In order that the Board may timely certify to the Department of Health those applicants eligible to take the examination, all applications, fees and ~~all~~ supporting documentation including transcripts, NBCE examination results, fingerprint card, licensure verifications and any other documentation ~~documents~~ must be on file with the Board no later than March 1st of each year for those candidates applying for the May Examination and September 1st for the November examination. ~~All applications, fees and all supporting documents must be on file with the Board no later than September 1st of each year for those candidates applying for the November Examination.~~

Specific Authority 460.405, 460.406 FS. Law Implemented 460.406 FS. History--New 1-10-80, Amended 3-15-81, 10-10-85, Formerly 21D-11.01, Amended 2-19-86, 10-6-86, 1-28-87, 2-1-88, 4-19-89, 12-31-89, 5-7-90, 7-8-90, 7-15-91, 2-2-93, Formerly 21D-11.001, Amended 4-18-94, Formerly 61F2-11.001, Amended 2-20-95, Formerly 59N-11.001, Amended 11-4-98, 3-23-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 25, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.017
 RULE TITLE: Processing Fee

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to change the fee required for processing applications.

SUMMARY: The proposed rule amendment changes the fee required for processing applications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.017 Processing Fee.

A licensee shall pay a processing fee of \$350.00 when the licensee applies for a change in licensure status at any time other than during licensure renewal, ~~except a certified chiropractic physician assistant shall pay \$55.00.~~ The renewal period shall begin 90 days prior to the end of the biennium and shall end on the last day of the biennium.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History--New 2-20-95, Formerly 59N-12.017, Amended 7-11-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-18.001
RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of this amendment is to clarify the definition of indirect supervision of certified chiropractic physician's assistants.

SUMMARY: The proposed rule amendment clarifies the definition of indirect supervision of certified chiropractic physician's assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 460.405 FS.

LAW IMPLEMENTED: 460.403(2), (3), (5), (6), (7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-18.001 Definitions.

(1) through (3) No change.

(4) The term "supervising physician" as herein used means any licensed chiropractic physician or group of physicians who is approved and certified by the Board to provide supervision for the certified chiropractic physician's assistant and/or registered chiropractic assistant, and who assumes legal liability for the services rendered by such assistants. An approved chiropractic physician or group of physicians may supervise more than one certified chiropractic physician's assistant at a ratio no greater than 2 certified chiropractic physician's assistants to one chiropractic physician.

(5) through (8) No change.

(9) "Indirect supervision" means responsible supervision and control by the supervising physician only in a practice that is exempt from licensure under Part X, Chapter 400, F.S., and wholly owned by one or more chiropractic physicians or by a chiropractic physician and the spouse, parent, child, or sibling of that chiropractic physician. Indirect supervision shall require the "easy availability" or physical presence of the licensed chiropractic physician for consultation and direction of the actions of the certified chiropractic physician's assistant. "Easy availability" means the supervising physician must be in a location to enable him to be physically present with the certified chiropractic physician's assistant within at least thirty minutes and must be available to the certified chiropractic physician's assistant when needed for consultation and advice either in person or by communication devices, such as telephone, two-way radio, medical beeper or other electronic means.

Specific Authority 460.405 FS. Law Implemented 460.403(2), (3), (5), (6), (7) FS. History--New 11-25-81, Formerly 21D-18.01, Amended 10-13-86, 7-15-91, Formerly 21D-18.001, 61F2-18.001, 59N-18.001, Amended 1-18-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 25, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-18.002
RULE TITLE: Application for Certification as a Chiropractic Physician's Assistant
PURPOSE AND EFFECT: The purpose and effect of this amendment is to clarify the application process.
SUMMARY: The proposed rule amendment clarifies the application process.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 460.405, 460.4165(6), (9) FS.
LAW IMPLEMENTED: 460.4165(3),(5), (6), (9) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-18.002 Application for Certification as a Chiropractic Physician's Assistant.

(1) through (2) No change.

(3) As part of the application process, the Board shall interview the supervising chiropractic physician and the certified chiropractic physician's assistant applicant about the work arrangement proposed in the application.

(4)(3) Applicants may qualify for certification as a chiropractic physician's assistant by either:

(a) Successfully completing a program approved pursuant to subsection 64B2-18.003(2), F.A.C., for the education and training of certified chiropractic physician's assistants, or

(b) Graduating from a chiropractic college which is accredited by, or has status with the Council on Chiropractic Education or its predecessor agency, provided that the

applicant has never had a license to practice as a chiropractic physician subject to disciplinary action in this or any other jurisdiction.

(c) Successfully completing 24 months of chiropractic education which is accredited by, or has status with the Council on Chiropractic Education or its predecessor agency.

(5)(4) The application shall be accompanied by a diploma, written verification of completion of the 24 months of chiropractic education from the educational institution, or similar certificate evidencing successful completion of one of the types of education and training programs referred to in subsection 64B2-18.002(3), F.A.C. For the training program, successful completion is deemed to mean obtaining a raw score of 75% on a comprehensive examination covering the entire education and training program.

(6)(5) In addition to the general certification as an assistant, an applicant may be certified in one or more specialty areas created by the Board if he or she demonstrates his or her satisfactory completion of education and training in the one or more specialty areas.

(7)(6) Upon approval of an application for certification in a specialty area the applicant shall be charged a fifty dollar (\$50.00) certification fee for the first biennium. The biennial renewal fee for each subsequent biennial shall be fifty dollars (\$50.00).

Specific Authority 460.405, 460.4165(6), (9) FS. Law Implemented 460.4165(3), (5), (6), (9) FS. History--New 11-25-81, Formerly 21D-18.02, 21D-18.002, 61F2-18.002, 59N-18.002, Amended 6-7-98, 4-25-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 25, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-18.005
RULE TITLE: Certification of Supervising Physicians

PURPOSE AND EFFECT: The purpose and effect of this amendment is to clarify the process for certifying supervising physicians of Chiropractic Physician's Assistants.

SUMMARY: The proposed rule amendment clarifies the process for certifying supervising physicians of Chiropractic Physician's Assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 460.405, 460.4165(9) FS.

LAW IMPLEMENTED: 460.4165(6) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-18.005 Certification of Supervising Physicians.

(1) Any chiropractic physician desiring to supervise, employ or work with a certified chiropractic physician's assistant shall make application to the Board on forms provided by the Board.

(2) As part of the application process, the Board shall interview the supervising chiropractic physician and the certified chiropractic physician's assistant about the work arrangement proposed in the application.

~~(3)(2)~~ Upon approval of an application, the Board shall certify the physician or group of physicians to supervise a certified chiropractic physician's assistant.

~~(4)(3)~~ Certifications to supervise assistants shall remain valid for one year and must be renewed annually.

~~(5)(4)~~ A fee of one hundred dollars (\$100.00) shall accompany the initial application and annual application by a chiropractic physician or group of chiropractic physicians for authorization to supervise a certified chiropractic physician's assistant.

Specific Authority 460.405, 460.4165(9) FS. Law Implemented 460.4165(6) FS. History--New 11-25-81, Formerly 21D-18.05, Amended 10-15-92, Formerly 21D-18.005, 61F2-18.005, 59N-18.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 25, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: 64D-3.046

RULE TITLE: Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12, and Adult Education Classes

PURPOSE AND EFFECT: The Bureau of Immunization proposes an amendment to update forms and guidelines that are incorporated by reference.

SUMMARY: This rule amendment updates forms DH-680, Florida Certification of Immunization, DH Form 1479, Authorized Private Provider User Agreement For Access to Florida SHOTS, DH Form 2115, Authorized School and Licensed or Registered Child Care Facility User Agreement for Access to Florida SHOTS, and DH Form 150-615, Immunization Guidelines – Florida Schools, Child Care Facilities and Family Day Care Homes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 381.0011(13), 381.003(1),(2), 381.005(2), 1003.22 FS.

LAW IMPLEMENTED: 381.0011(4), 381.003(1), 381.005(1)(i), 1003.22 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 12, 2007, 10:00 a.m. (EDT)

PLACE: 2585 Merchants Row Blvd., Tallahassee, FL 32399-1719

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Lincicome, Senior Management Analyst Supervisor, Department of Health, Bureau of Immunization, 2585 Merchants Row Blvd., Room 210N, Tallahassee, FL 32399-1719

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-3.046 Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes.

(1)(a) Immunization and Documentation Requirements –

(b) A student may attend a public or non-public school, grades preschool through 12 or an adult education class if younger than 21, if prior to admittance, attendance or transfer, they present one of the following for inspection for validity by an authorized school official:

1. DH Form 680, Florida Certification of Immunization (January 2007), (~~July 2001~~), incorporated by reference, available from the Department of Health (DOH) county health departments (CHD) or physicians' offices.

2. Documentation of receipt of or exemption from must be noted for the following immunizations: diphtheria, tetanus, pertussis, poliomyelitis, measles (rubeola), rubella, mumps, varicella and hepatitis B. The manner and frequency of administration of the immunizations shall conform to recognized standards of medical practice.

(2) Specific immunization requirements by grade, in addition to those in paragraph (1)(a), which must be documented prior to admittance, attendance or transfer:

(a) Preschool – Completion of Haemophilus influenzae type b vaccination.

(b) Preschool or kindergarten effective with the 2001/2002 school year – completion of varicella vaccination. Each subsequent year thereafter, the next highest grade will be included in the requirement, so that students transferring into Florida schools are added to the varicella immunized cohort.

1. 7th Grade – Completion of a tetanus-diphtheria booster.

2. Additional Documentation Requirements for Exemptions.

3. For exemption from the rubeola immunization the practitioner must include with DH Form 680, Florida Certification of Immunization, incorporated by reference in subsection 64D-3.046(1), F.A.C., documentation on their own stationery of the physician's request for exemption, asserting that the student had an illness comprised of a generalized rash lasting three or more days, a fever of 101 degrees Fahrenheit or greater, a cough, and/or coryza, and/or conjunctivitis and, in the physician's opinion, has had the ten-day measles (rubeola) or serologic evidence of immunity to measles.

(c) Forms are to be fully executed by a practitioner licensed under Chapters 458, 459, 460, F.S., or their authorized representative (where permitted in the particular certification) per instructions for the appropriate school year, as provided in DH Form 150-615, Immunization Guidelines – Florida Schools, Child Care Facilities and Family Day Care Homes (March 2007), (~~July 2002~~), incorporated by reference, available online at: www.doh.state.fl.us/disease_ctrl/immune/schoolguide.pdf.

(d) Florida SHOTS (State Health Online Tracking System) Electronically Certified DH Form 680 produced by a CHD or a physician's office, as provided in (7), may be utilized.

~~(e)~~ DH Form 681, Religious Exemptions for Immunizations (English/Spanish/Haitian-Creole) (February 2002), incorporated by reference, available at DOH CHDs, must be issued and signed by the local county health department medical director or designee.

~~(f)~~ Otherwise, required immunizations not performed must be accounted for under the Temporary or Permanent Medical Exemptions, DH Form 680, Florida Certification of Immunization, Parts B and C, incorporated by reference in subsection 64D-3.046(1), F.A.C.

(3) Documentation Requirements for Schools:

(a) The original of the form(s) required under subsection paragraph (1)(a) shall remain in the student's cumulative health record.

(b) Antigen doses by dates of immunization shall be transferred as data elements through the Florida Automated System for Transferring Education Records (FASTER).

(c) Compliance Reporting:

1. Each public and nonpublic school with a kindergarten and/or seventh grade shall submit an annual compliance report. The report shall be completed on DH Form 684, Immunization Annual Report of Compliance for Kindergarten and Seventh Grade (January 2007), (~~November 1996~~), incorporated by reference, available at DOH CHDs. The report shall include the immunization status of all children who were attending kindergarten and seventh grades at the beginning of the school year. The report shall be forwarded to the CHD director/administrator no later than October 1 of each school year, where the data will be compiled on DH Form 685, Kindergarten and Seventh Grade Annual Report of Compliance County Summary (November 2006), incorporated by reference, available at DOH CHDs; or electronically generated by the Department of Education.

2. After consultation with the Department of Education, the DOH shall require compliance reports from public and nonpublic schools and preschools for selected grades (K-12 and preschool) in special situations of vaccine-preventable disease outbreak control or identified need for monitoring through surveys for immunization compliance levels. Such reports shall include the status of all children who were attending school at the beginning of the school year. Reports shall be forwarded to the CHD director/administrator within a specified period, as determined by the DOH.

(4) Homeless, Transfers and Juvenile Justice – A temporary exemption to requirements of subsection (2) above, not to exceed 30 days, may be issued by an authorized school official for any of the following, consistent with the definitions in Section 1003.01, F.S.:

(a) A homeless child.

(b) A transfer student.

(c) A student who enters a juvenile justice education program or school.

(5) Notwithstanding subsection (2), the Department may:

(a) Designate any required immunization as unnecessary or hazardous, according to recognized standards of medical practice.

(b) Upon determination that a shortage of vaccine exists, approve issuance of temporary medical exemption with extended expiration dates by practitioners or authorized school officials until such time as, in the DOH’s opinion, vaccine will be available in sufficient quantity for such deferred vaccinations to be completed.

(6) Florida SHOTS Opt Out Provision – Parents or guardians may elect to decline participation in the Florida immunization registry, Florida SHOTS, by submitting a Florida SHOTS Notification and Opt Out Form to the DOH. The form, either a DH Form 1478 (English) or DH Form 1478S (Spanish) or DH Form 1478H (Haitian-Creole), incorporated by reference, is available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The immunization records of children whose parents choose to opt out will not be shared with other entities that are allowed by law to have access to children’s immunization records via authorized access to Florida SHOTS.

(7) Florida SHOTS Private Provider Participation – Any healthcare practitioner licensed in Florida under Chapter 458, 459 or 464, F.S., may request authorization to access Florida SHOTS by filling out a DH Form 1479, Authorized Private Provider User Agreement for Access to Florida SHOTS (January 2007), (~~November 2000~~), incorporated by reference, available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 1479 will be returned to the DOH for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user’s license or registration has expired or has been suspended or revoked.

(8) Florida SHOTS School and Licensed or Registered Child Care Facility Participation – Any public or nonpublic school, or licensed or registered child care facility may request authorization to access Florida SHOTS by completing a DH Form 2115, Authorized School and Licensed or Registered Child Care Facility User Agreement for Access to Florida SHOTS (January 2007), (~~November 2000~~), incorporated by reference, available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 2115 will be returned to the DOH for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall

notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user’s license or registration has expired or has been suspended or revoked.

Specific Authority 381.0011(13), 381.003(1),(2), 381.005(2), 1003.22 FS. Law Implemented 381.0011(4), 381.003(1), 381.005(1)(i), 1003.22 FS. History–New 11-20-06, Amended _____.

Editorial Note: Formerly 10D-3.88, 10D-3.088 and 64D-3.011

NAME OF PERSON ORIGINATING PROPOSED RULE:
Charles H. Alexander, Chief, Bureau of Immunization
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Russell W. Eggert, M.D., M.P.H.,
Director, Division of Disease Control
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 4, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 6, 2007

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NOS.:	RULE TITLES:
64F-20.001	Distribution of Funds from the Rape Crisis Program Trust Fund
64F-20.002	Criteria for Distributing Monies

PURPOSE AND EFFECT: The Department proposes to review the existing language in this chapter to determine if amendments and/or new rules are necessary.

SUMMARY: The rule amendments will address distribution of Rape Crisis Trust Funds monies to the statewide non-profit organization and rape crisis centers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 794.056(2) FS.

LAW IMPLEMENTED: 794.056 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Elvira Hanson, 4052 Bald Cypress Way, Bin A-13, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

64F-20.001 Distribution of Funds from the Rape Crisis Program Trust Fund.

Rape Crisis Trust Fund monies allocated to the statewide non-profit association shall be distributed to rape crisis centers (RCCs) located throughout Florida. The department shall

~~contract through a competitive process pursuant to Chapter 287, F.S., with statewide non-profit association(s) as described in Section 794.055, F.S.~~

Specific Authority 794.056(2) FS. Law Implemented ~~794.055, 794.056~~ FS. History--New 8-31-04. Amended.

64F-20.002 Criteria for Distributing Monies.

(1) The statewide non-profit association shall distribute funds provided that a rape crisis center satisfies the following criteria:

(a) A rape crisis center as defined by Section 794.055(2)(d), F.S., must be certified by the statewide non-profit association;

(b) If governed by a board of directors, the rape crisis center's board of directors must meet no less than four times out of the year and include a board member that has been a client or a victim of sexual battery or assault;

(c) The rape crisis center must have been in operation for at least two years;

(d) The rape crisis center must attend financial management training for not-for-profit organizations offered by the state or another entity every two years;

(e) A rape crisis center must complete and submit a rape crisis trust fund survey, to the Florida Department of Health Sexual Violence Prevention Program on or before March 31st of each year; and

(f) Conduct a client satisfaction survey.

(2) Certification by the statewide non-profit association does not guarantee funding. Funding shall be denied if a rape crisis center fails to meet the criteria under paragraphs 64F-20.002(1)(a)-(f), F.A.C., or the statewide not-for-profit organization revokes certification.

(3) Funding shall be denied to any rape crisis center if any state or federal agency has suspended or withdrawn funding or terminates a contract for reasons other than lack of money.

(4) Award of rape crisis trust fund monies to rape crisis centers shall be made by the Department via a contract with the statewide non-profit association.

(5) Distribution – The statewide non-profit association shall distribute a minimum of 80 percent of their Trust Fund monies to RCCs and each RCC shall use no more than 5 percent of its funding for administrative purposes. The statewide non-profit association shall use no more than 15 percent of their funds for statewide initiatives and no more than 5 percent for administrative costs.

Specific Authority 794.056(2) FS. Law Implemented 794.056 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elvira Hanson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jan Davis

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 12, 2007

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.203
RULE TITLE: Personal Care of a Disabled Family Member

PURPOSE AND EFFECT: The proposed rule amendment is required to comply with federal regulations issued by the Department of Health and Human Services, Administration for Children and Families, to implement the Temporary Assistance for Needy Families provisions of the Deficit Reduction Act of 2005. The rule amendment will clarify when a parent or caretaker relative who is totally responsible for the care of a disabled family member is excluded from participation in work activities in accordance with 45 CFR 261.2(n)(2)(i), and is exempt from the time limit under the Temporary Cash Assistance (TCA) program.

SUMMARY: The proposed rule amendment will provide clarification that full-time school attendance by a disabled family member will be considered an "alternative care arrangement" and as such, a parent or caretaker relative will not receive a time limit exemption under the TCA program. It also provides for a form revision to reflect the policy change.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.105(9) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 13, 2007, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700. Telephone (850)488-8004

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen Schilling, Program Administrator, Food Stamps/TCA Policy, 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700, Telephone (850)414-5643

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.203 Personal Care of a Disabled Family Member.

(1) Family Member. Family member is defined as any individual related to any member of the assistance group by blood or marriage. The disabled family member must reside in the home with the caregiver. The family member with the disability may be a child or any adult member of the family, whether or not this person is a Temporary Cash Assistance (TCA) WAGES participant.

(2) Disability. In order for an exemption to program time limits due to an individual's responsibility for care of a disabled family member to be granted, the disability must be verified. Verification is satisfied when through the family member receives temporary or permanent disability benefits issued by a government or private source, or a statement by physician or licensed or certified psychologist that the family member is disabled. Verification of the family member's disability may be provided on the Statement of the Need for Care, CF-ES 2094, Apr 07 Oct 98, (~~incorporated by reference~~).

(3) Need for Personal Care. The disabled family member must require the physical presence of the individual to provide care, supervision, or arrange services, typically during the family member's waking hours. Personal care of the family member includes the provision of daily care services maintenance, supervision of care, and transportation. Verification of the family member's need for personal care may be provided on the Statement of the Need for Care, CF-ES 2094, Oct 98 (~~incorporated by reference~~). Any of the following will be accepted as verification of the need for personal care services:

- (a) through (g) No change.
- (h) Verification by a ~~children's mental health or substance abuse provider~~ Target Population Enrollment Form, May 98 (~~incorporated by reference~~) certifying a child meets the criteria for serious emotional disturbance or psychoactive substance use disorder, and a statement by a licensed psychiatrist indicating the need for full time care or supervision of the child that includes a DSM-IV diagnosis, recommended treatment for the child and caretaker, and prognosis indicating the estimated length of time such care may be needed.

(4) ~~Lack of~~ Alternative Care. Depending upon the nature of the disability, documentation of attempts to provide alternative care must be provided. Alternative care may not be available because the service to meet a specific need does not exist in the community or the cost of the service is prohibitive. Full-time school attendance by a disabled family member will be considered an alternative care arrangement, and as such, a parent or caretaker relative will not receive a time limit exemption. Full-time school attendance is defined by the educational institution. A parent or caretaker relative may receive a time limit exemption during a summer school break if no other alternative care arrangement is available.

- (5) No change.

(6) Welfare Transition ~~WAGES~~ Employment and Training. Care of a family member with a disability is considered good cause for not meeting program work requirements. Individuals meeting the criteria for an exemption from the time limits are not required to work register. A parent or caretaker relative of a disabled family member who attends school full-time will be considered to be work-eligible in accordance with 45 CFR 261.1(n)(2)(i), will not meet the criteria for an exemption from the time limit, and must work register.

- (7) No change.

(8) Periodic Evaluation of Exemption. The exemption from time limits will be reevaluated annually at each regular eligibility redetermination for temporary cash assistance.

(9) A copy ~~Copies~~ of the CF-ES 2094, Statement of the Need for Care ~~and the Target Population Enrollment form~~ may be obtained from the Department of Children and Family Services, ACCESS Florida Economic Self Sufficiency Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.

Specific Authority 414.45, 414.065(4)(g) FS. Law Implemented 414.105 FS. History--New 4-27-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lonna Cichon

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Nathan Lewis, Chief, Program Policy, 414-5927

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2006

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.2131 RULE TITLE: Learnfare Requirements

PURPOSE AND EFFECT: This rule amendment will remove reference to obsolete forms.

SUMMARY: The proposed rule amendment removes reference to obsolete forms as the Learnfare information has been incorporated into the Rights and Responsibilities Form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.1251 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 13, 2007, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen Schilling, Program Administrator, Food Stamps/TCA Policy, 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700, Telephone (850)414-5643

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.2131 Learnfare Requirements.

(1) Learnfare Requirements. Temporary cash assistance (TCA) will be reduced when a participant's dependent school-age child(ren) is determined to be a habitual truant or school dropout or the parent or caretaker relative whose needs are included in the TCA assistance group fails to attend a school conference each semester. Notification of the Learnfare Program requirements and the right to request a fair hearing if they disagree with a department decision will be provided upon TCA application using the CF-ES 2064, Your Rights and Responsibilities, Oct 05 CF-ES 2606, Notice of Learnfare Requirements, DEC 01, incorporated by reference. ~~The applicant must sign the CF-ES 2606 and a copy is to be retained in the case file.~~

(2) through (4) No change.

(5) School Conference. A parent or caretaker relative with a child subject to school attendance requirements must have a conference with an appropriate school official during each semester. The parent's or caretaker relative's statement of completion of the school conference must be obtained at a regularly scheduled redetermination. ~~Verification of participation in a school conference each semester must be provided by participants using the form, CF-ES 2098, Learnfare School Conference Verification, DEC 01, incorporated by reference, or other written documentation from a school district official or by department staff's direct contact with a school official.~~ If a redetermination is due during the summer when school is not in session, the conference verification from the previous semester will be sufficient documentation of compliance.

(6) No change.

(7) ~~Good Cause. Learnfare good cause reasons, penalty criteria, and right to request a fair hearing are contained in the CF-ES 2606, Notice of Learnfare Requirements provided to participants at TCA application. Participants are also notified at TCA application of their right to request a fair hearing using the CF-ES 2064, Your Rights and Responsibilities, Sept 00, incorporated in Administrative Rule 65A-1.204, F.A.C., if they disagree with a department decision. At the time of re-determination for TCA eligibility, a participant is required to~~

~~provide the Public Assistance Specialist (PAS) with verification of school conference compliance as specified in subsection (5). The PAS will inform participants that failure to provide verification within 10 days will result in Learnfare penalties being imposed.~~ Upon notification by the local school district that a participant's dependent child is a habitual truant or dropout, or a parent or caretaker relative fails to attend a school conference, the department must determine if good cause exists in accordance with Section 414.1251(1), F.S. If good cause does not exist, the department will advise the participant and impose Learnfare penalties in accordance with Section 414.1251(1) and (2), F.S.

(8) No change.

(9) Copies of ~~the CF-ES 2064 CF-ES 2606 and CF-ES 2098~~, may be obtained from the Department of Children and Family Services, ACCESS Florida Economic Self Sufficiency Services, 1317 Winewood Boulevard, Tallahassee, Florida 31399-0700.

Specific Authority 414.45 FS. Law Implemented 414.1251 FS. History--New 6-2-02, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lonna Cichon

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Nathan Lewis, Chief, Program Policy, ACCESS Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 16, 2007

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-31.010	Design of Aluminum Structures
NOTICE OF CHANGE	

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 3, January 19, 2007 issue of the Florida Administrative Weekly.

The change below reflects the addition of language approved by the Board on April 18, 2007 following a public hearing held on March 23, 2007.

1. Subsection (4) shall read:

(4) This rule does not prohibit the use of the “AAF Guide to Aluminum Construction in High Wind Areas” as referenced in the Florida Building Code, Chapter 9B-70, in the construction of aluminum structures.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Acting Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-9.006
 RULE TITLE: Course Syllabus
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 19, May 11, 2007 issue of the Florida Administrative Weekly.

The language “IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED FOR THE BOARD’S NEXT MEETING, AND WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.” Need to be added in the notice under the “LAW IMPLEMENTED: 468.627 FS.”

(a) through (e) No change.
 Specialty (f) Andrology, Embryology

Option	Education
1	
2	
3	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.003
 RULE TITLE: Technologist
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly.

The Board held a public hearing on this rule on March 2, 2007, in Jacksonville, Florida, and determined a change to this rule should be made.

The changes are as follows:

(1) Technologist Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or, if foreign education, equated pursuant to subsection 64B3-6.002(6), F.A.C. Applicants for technologist licensure in the categories of microbiology, serology/immunology, chemistry, hematology, immunohematology, histocompatibility, blood banking, cytology, cytogenetics, histology, molecular pathology, andrology and embryology shall have ~~one hour of Board approved HIV/AIDS continuing education~~; a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety.

Training/Experience	Examination
	MT(AAB) Andrology/ <u>Embryology</u> examination
	MT(AAB) Andrology <u>/Embryology</u> examination
	MT(AAB) Andrology/ <u>Embryology</u> examination
Training/Experience	Examination
	HTL(ASCP), or HT(ASCP)QIHC

Specialty (g)(4) Histology

Option	Education
1	

	2	Associate Degree	Three years pertinent clinical laboratory experience.	HT(ASCP)
	3		Five year pertinent experience and 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques.	HT(ASCP)
(g) Embryology	4	Bachelor's Degree with 24 semester hours of academic science	Board approved training program in andrology/embryology	
	2	Bachelor's Degree with 24 semester hours of academic science	One year pertinent clinical laboratory experience	MT(AAB) Embryology examination
	3	Associate Degree	Three years pertinent clinical laboratory experience	MT(AAB) Embryology examination
Specialty (h)(4) Histocompatibility	Option 1	Education	Training/Experience	Examination CHT(ABHI)

THE PERSON TO BE CONTACTED REGARDING THE NOTICE OF CHANGE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.008
 RULE TITLE: Fee for Renewal of Inactive License
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 14, April 6, 2007 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated April 26, 2007. The correction is as follows:

The word "dental" was inadvertently omitted from the first sentence of the rule in the Rule Notice which should read as "The fee for renewal of an inactive dental license shall be.....". The word "Dental" is included in the current rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.009
 RULE TITLE: Fee for Reactivation of Inactive License

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 14, April 6, 2007 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated April 26, 2007. The correction is as follows:

The word "dental" was inadvertently omitted from the first sentence of the rule in the Rule Notice which should read as "The fee for reactivation of an inactive dental license shall be.....". The word "Dental" is included in the current rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-6.006
 RULE TITLE: AIDS Education and Medical Error Prevention Education

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 15, April 13, 2007 issue of the Florida Administrative Weekly.

The publication date of proposed rule development should be changed to March 2, 2007.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-13.022	Background Screening Requirements
65C-13.023	Pre-service Training
65C-13.024	Initial Licensing Procedures
65C-13.025	In-Service Training
65C-13.026	Changes During the Licensed Year
65C-13.027	Re-Licensing
65C-13.028	Licensed Out-of-Home Team Member Roles
65C-13.029	Standards for Licensed Out-of-Home Caregivers
65C-13.030	Terms of a License
65C-13.031	Capacity, Placement, and Over-Capacity Assessments
65C-13.032	Babysitting, Respite and Other Supervision
65C-13.033	Complaint Investigations and Foster Care Referrals
65C-13.034	Administrative Actions, Appeals and Closures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 19, May 11, 2007 issue of the Florida Administrative Weekly.

Rules 65C-13.001 through 65C-13.021 same as published on December 1, 2006. Rules 65C-13.022 through 65C-13.034 have been amended to read as follows:

65C-13.022 Background Screening Requirements.

(1) The department shall conduct background screenings for all persons considered by the department for initial licensure or re-licensure as an out-of-home caregiver and all adult household members pursuant to Section 409.175, F.S. These screenings shall be completed before an applicant shall be licensed as an out-of-home caregiver and before any children are placed in the home. Exemptions from disqualification may be granted to potential licensed out-of-home caregivers for crimes or offenses covered by Sections 435.07(1) and (2), F.S., and according to the guidelines established under Sections 435.07(3) and (4), F.S. Failure to comply with any requirement for good moral character and background screening as described in this rule may be grounds for denial, suspension or revocation of an application or license. The supervising agency or the department has the discretion to request background screening for other individuals if there is reasonable belief that:

(a) The person may be a household member; or

(b) His or her presence in the foster home may adversely affect the health, safety and welfare of the children in the home; or

(c) The person has or may have unsupervised contact with the children.

(2) These screenings shall, at a minimum, include fingerprinting; statewide criminal and juvenile records checks through the Florida Department of Law Enforcement; federal criminal records checks through the Federal Bureau of Investigation; local criminal record checks through local law enforcement agencies, and may include records of any responses to the home by law enforcement that did not result in criminal charges. Records checks through the department's Statewide Automated Child Welfare Information System (SACWIS) regarding child abuse and neglect investigations and civil court records checks regarding domestic violence complaints and orders of protection must also be included. If the applicant or any other adult household member has resided in any other state over the past five years, requests for abuse and neglect histories must be made of those states, and the results of such requests included with the application packet. Only abuse and neglect reports in which the person being considered for licensure was named as the "caregiver responsible" for the abuse or neglect may be used for initial licensing decisions. If the person applying is or was a licensee of the department and was named in any capacity in three or more reports during a five year period, regardless of classification, those reports may be reviewed by the department for their relevancy as it relates to the licensing decision. All reports in which the person seeking licensure or re-licensure was named as the "caregiver responsible" must be considered for licensing purposes. For homes being considered for licensure for longer than one year under Section 409.175(6)(j), F.S., all abuse reports with any findings shall be considered.

(3) Each applicant and adult household member being screened shall sign an "Affidavit of Good Moral Character", CF 1649, January 2007, available at www.dcf.state.fl.us/publications/, and a "Release of Information", CF-FSP 5090, March 2007, available at www.dcf.state.fl.us/publications/. Failure to comply with any requirement for good moral character and background screening as described in this rule may be grounds for denial, suspension or revocation of an application or license.

(4) Each applicant and adult household member being screened under this section shall provide all the names, under which he or she has been known.

(5) For children between the ages of twelve and eighteen, the background screening shall be limited to statewide criminal and juvenile records name checks through the Florida Department of Law Enforcement and does not require fingerprinting. Screening of young adults age 18 through 22 who are receiving services through Chapter 65C-31, F.A.C., and who have had no break in service provision are not required to be screened. A youth receiving services under

Chapter 65C-31, F.A.C., who wishes to baby-sit may be screened by name check through the Florida Department of Law Enforcement but may not baby-sit foster children.

(6) The background screenings under this section shall ensure that no out-of-home caregiver licensed by the department and no person residing in a family foster home has been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to any offense prohibited under Section 435.04, F.S., or similar statutes of another jurisdiction at any time. When the individual who is being screened is a former dependent child under 23 years of age and the security background screening reveals a disqualifying offense which was committed during or prior to the time that the child was dependent, that offense shall not automatically affect the licensure of the out-of-home caregivers. Exemptions for disqualifying offenses may be sought under Section 435.07, F.S.

(7) All records obtained, as a part of the background screening, shall be considered in the process of determining whether to issue a foster care license or if there is a current license, whether the license should be revoked. Such records shall include findings of delinquency; any misdemeanor or felony criminal arrests resulting in a plea of nolo contendere or conviction; any criminal traffic offenses resulting in a plea of nolo contendere or conviction, and any civil cases of domestic violence and orders for protection. Crimes perpetrated in other states that are misdemeanors in that state but would be felonies listed under Section 435.04, F.S., if committed in Florida shall be considered as disqualifying offenses by the department for licensing decisions.

(8) Persons who are currently licensed as out-of-home caregivers and any adult household members shall be re-screened at least annually as a part of the application for re-licensing. Annual screening for re-licensure shall be limited to a local criminal records check, an abuse and neglect record check clearance through the Statewide Automated Child Welfare Information System (SACWIS), and may include records of any responses to the home by law enforcement that did not result in criminal charges, and any 911 calls to the home. The state criminal records checks shall be completed every five years through the Florida Department of Law Enforcement. Abuse and neglect reports in which the applicant was named in any capacity in three institutional reports, regardless of classification over the past five years shall be reviewed for relevancy related to the licensing decision and may be used in determining whether to renew or revoke the person's license. All reports with any findings may be considered for the purposes of re-licensing a home for more than one year under Section 409.175(6)(j), F.S.

(9) The cost of all background screening activities shall be borne by the supervising or lead agency.

Specific Authority 39.001(1)(a), (b), (i), 39.202(2)(a)5., 39.301(22), 39.302(7), 409.175(14), 409.175(1)(a), (2)(i), (k), 409.175(9)(b)2., 4, 435.04(1), (2), (5), 435.05(1), (2), (3), 435.07 FS. Law Implemented 39.0121, 409.175(5)(a)5., 435.04 FS. History--New _____.

65C-13.023 Pre-service Training.

(1) All prospective out-of-home caregivers shall successfully complete a department approved parent preparation training as a condition of licensure.

(2) Pre-service training shall meet the requirements of Section 409.175(14)(b), F.S., and shall include training for out of home caregivers on decision-making related to the balance of normalcy for children in care and their safety. As a prerequisite to licensure, potential licensed out-of-home caregivers who have swimming pools or whose homes are adjacent to bodies of water unprotected by a barrier of at least four feet will be required to complete a basic water safety course administered by the American Red Cross, YMCA or a trainer certified in water safety training. This requirement does not apply to homes with wading pools, which are temporary and portable pools with a depth of less than two feet.

(3) Each pre-service class shall be led by a certified child protection professional according to Section 402.40(7), F.S., who has a bachelor's degree or a master's degree from an accredited college or university, and should include licensed out-of-home caregiver as a co-facilitator. In addition, a young adult formerly in foster care must be invited to participate in one or more sessions of the training to ensure that prospective out-of-home caregivers may benefit from the former foster youth perspective.

(4) The certified child protection professional trainer is responsible for ensuring that the pre-service curriculum is presented and discussed and that copies of all handouts and reading materials are provided to the participants.

(5) Individualized training may be completed with the approval of the lead agency. If individualized training is done, the certified trainer is responsible for complying with the requirements set forth for pre-service training in Section 409.175(14)(b), F.S.

(6) Prospective foster and adoptive parents may elect to attend pre-service training as defined in subsection (2) of this section, offered by any licensed child placing agency. Agencies are expected to work cooperatively with each other and prospective licensed out-of-home caregivers to ensure the ongoing availability of pre-service training for all prospective out-of-home caregivers.

(7) Exemptions to the pre-service training may be made for individuals who have successfully completed pre-service training equivalent to the pre-service training offered by the local supervising agency, provided the training was completed within the last five years and the individual(s) provide(s) proof of successful completion. Supervising agencies may request any information regarding the curriculum completed for the purposes of making a recommendation to the department. The

department shall review the curriculum content and consider the recommendation of the supervising agency in determining whether the individual may be exempt from attending the pre-service training offered by the supervising or child placing agency.

(8) When an individual successfully completes pre-service training but does not continue the licensing process, the supervising agency staff shall document the reason(s) the process was discontinued. Previously completed pre-service training may be accepted towards licensure for up to five years from the date of verified curriculum completion. Previously licensed out-of-home caregivers who have a break in service of less than one year, but who completed pre-service less than four years prior to requesting renewal may be licensed without completing pre-service.

Specific Authority 409.175, 402.40(10) FS. Law Implemented 409.175, 402.40(7) FS. History—New

65C-13.024 Initial Licensing Procedures.

(1) General.

(a) Each applicant wishing to become a licensed out-of-home caregiver shall complete the “Application for License to Provide Out-of-Home Care for Dependent Children”, CF-FSP 5007, March 2007, available at www.dcf.state.fl.us/publications/. Married persons living together shall both sign the application. Any person who requests an application either verbally or in writing shall be provided one.

(b) The supervising agency completing the home study shall, at a minimum, conduct two visits to the applicant’s home, inspect the entire indoor and outdoor premises, document the conditions, and conduct face to face interviews with all household members. The dates, names of persons interviewed and summary of these interviews shall be documented in the home study.

(c) The supervising agency is responsible for advising the applicant of all rules, regulations, and standards that apply to the applicant if a license is issued.

(2) References.

(a) There shall be a minimum of three personal references that shall not be related to the applicant being screened and shall have known the applicant for at least two years. References inquiry responses may be obtained in writing from the individual(s) or documented by the supervising agency staff based on conversations with the person giving the reference.

(b) References shall be obtained from the adult children of each applicant. These references shall address the applicant’s suitability to become a licensed out-of-home caregiver. All unsuccessful attempts to solicit information shall be documented and the overall impact of the missing information considered as a part of the recommendation to license or not to license.

(c) The agency shall obtain a current employment reference for each applicant. At a minimum, this reference shall include sufficient information to establish or corroborate the applicant’s current employment status. If current employment is less than two consecutive years in duration, secondary employment references shall be obtained. If the applicant is self-employed, a reference from a current customer or associate of the applicant shall meet this requirement. If an applicant is not currently employed a former employer or additional personal reference shall suffice.

(d) The agency shall obtain references from school personnel of each school age child residing in the home.

(e) References shall be obtained from the childcare provider of any preschool age child who is enrolled in a childcare program.

(f) References from two neighbors, or in the absence of neighbors, references from two community members shall also be obtained, including but not limited to the name and address of the neighbor or community member, how long he or she has known the applicant, and any concerns they may have about the applicant’s suitability to become a licensed out-of-home caregiver.

(g) Any previous licensing, registration or certification as an out-of-home caregiver in Florida or in any other state or country shall be considered.

(3) Verifications.

(a) The applicant shall provide the agency with proof of the following, if applicable; his or her current marriage and all divorce decrees as applicable, documentation of legal residency, driver’s licenses, auto insurance coverage, financial capability and income, child support verification, and pet vaccinations.

(b) The prospective out-of-home caregiver shall have read, completed and signed all documentation required for licensing as listed under paragraph (6)(b) of this section and shall be provided copies of all documents signed upon request.

(4) Employees, Relatives and Sub-Contractors as Licensed Out-Of-Home Caregivers. Districts, Regions, Zones, County Sheriff’s Offices and Lead Agencies may choose to license employees as out-of-home caregivers as long as the following conditions are met.

(a) No conflict of interest exists that could result in preferential treatment concerning the placement and movement of children placed in the potential licensed family foster home;

(b) The licensing study is completed by a licensed child-placing agency outside of the lead agency’s service delivery system and submitted to the department for approval;

(c) The lead agency has a procedure approved by the department, which requires the executive director or designee in upper level management of the lead agency to review and approve the submission of all such applications to the department.

(5) Initial Licensing Home Study. A staff person, certified pursuant to Section 402.40(7), F.S., from the supervising agency shall perform a thorough assessment of each prospective licensed out-of-home caregiver and document this assessment in a home study, which shall include, at a minimum:

(a) Demographics: Names, Dates of Birth, Address, and contact numbers;

(b) Pre-service Experience:

1. Dates of pre-service training and a description of the applicant's participation in the pre-service classes;

2. Applicant's motivation to foster and his or her commitment to the foster care experience including how other family members and extended family feel about the decision to foster.

(c) Chronology of events. Include dates of home visits and persons interviewed;

(d) Home and Neighborhood:

1. Physical description of the home, including the number of bedrooms and bathrooms, type and number of available beds and current sleeping arrangements, storage space for children's personal belongings, living area, dining area and other interior space.

2. A description of how the home complies with safety requirements, including location and verification of operating fire extinguishers with current tag and smoke detectors, storage of medications, cleaning supplies and toxins. The description shall also include the storage of alcoholic beverages, weapons and ammunition, location of burglar bars, fireplaces, handrails on stairways and space heaters, if applicable;

3. Water Safety. A description of the outdoor area including swimming pools, canals, ponds, lakes, streams and other potential water hazards and documentation of the counselor's discussion with the applicant regarding the requirements for supervision and how the applicant will ensure safety and adequate supervision.

(e) Animals. Description of any household pets, exotic pets, or live stock including immunization verification as required according to Section 828.30, F.S., observations of their care, behavior and how they are maintained and secured. The applicant shall have measures in place to assure safety of foster children from any potentially dangerous animals and this information shall be documented in the home study, if applicable;

(f) Social History: a description of the following shall be included:

1. Background and Family History, including place(s) of birth, description of family relationships during childhood and current state of family relationships, education, types of discipline used in the family, family values, and any prior residences in or out of Florida;

2. Marital Status and Other Significant Relationships.

3. Medical History. Medical history including physical, mental health and other treatments for all household members shall be explored, including debilitating, communicable or progressive diseases or conditions. If there is a concern regarding the physical, mental or emotional health, such as debilitating or progressive diseases, of any member of the household and possible injurious effects on a child, the applicant must supply recent medical reports and evaluations upon request of the supervising agency or department. The staff person completing the home study shall explore and document in the home study any health concerns of the applicant and/or household members. This discussion should include the following:

a. Current smoking and alcohol use by household members;

b. Any history of alcohol or substance abuse.

4. Parenting experience of each applicant. All of the applicant's children shall be identified whether they reside in the home or not. This may also include their parenting experience with any child they may have provided care for, even if on a temporary basis. This section should also include a description of the experience, as opposed to just listing the identities of the applicant's children or the children they may have parented.

5. Discipline. A description of the methods used by the applicant's own family while growing up; discipline methods used by the applicant on his or her own children and the plan for disciplining foster care children in the home.

6. Family Life. Document observations of family members' personalities and their interpersonal relationships. Describe family activities, hobbies and interests and civic involvement. For each child living in the home, describe the child's school, grades, achievements and interests. Describe each child's relationship with the applicant and siblings in the home, as well as his or her feelings of having a foster child in the home;

7. Religion. Explore the family's attitudes regarding prohibitions against seeking medical treatment, celebrating holidays or birthdays, and discipline practices encouraged by their faith. Discuss the applicant's ability to meet the licensing standard for religious cooperation according to subparagraph 65C-13.028(1)(g)4., F.A.C.; and

8. Child Care. Describe day care arrangements, including transportation to and from day care provider, if applicable.

(g) Transportation. Describe the vehicles and who shall be the responsible drivers. A description of each vehicle shall include its physical condition, the seating capacity and the number of seat belts.

(h) Employment. Describe current employment status for each parent, including occupation, current place of employment, work hours and flexibility of schedule in case of emergencies, medical or school appointments for foster children.

(i) Financial Capacity and Income. Discuss the applicant’s ability to meet the licensing standard for financial capability as follows. The applicant shall demonstrate financial solvency by providing documentation of the household income and budget sufficient to meet the needs of the family. The additional financial stresses of fostering and how applicants intend to address that stress should also be explored;

(j) Other Adult Household Members. The following information shall be obtained and documented for any other adult household members, whether or not they intend to supervise or assist with the care of the foster child;

1. Background Screening pursuant to Rule 65C-13.022, F.A.C.;

2. Background and Family History;

3. Medical History as set forth in subparagraph 65C-13.024(5)(f)3., F.A.C.;

4. What responsibilities they intend to have with the foster child, i.e. transportation, supervision, care giving, and other responsibilities;

5. One personal reference from a non-relative not living in the home.

(k) Background Screening. The results of all background screening information available to the supervising agency shall be addressed for each individual in the home over twelve years of age. Any arrests, qualifying reports of abuse and findings of protective orders shall be explored and addressed in the study.

(l) Summary and Recommendations;

1. Characteristics of Applicant. The applicant shall have demonstrated all of the following characteristics to a degree that shall allow him or her to adequately provide licensed out-of-home services, as evidenced through interviews and observations with the family members, communication with references, their participation in pre-service training and all information in the foster home study;

a. A willingness to work with the supervising agency and all applicable parties to work toward permanence for the foster child as established in the child’s permanency plan as established under Sections 39.01(52) and 39.6011(4), F.S.; and

b. An understanding and respect for the importance of preserving a child’s family connections and relationships.

2. Summarize reference responses and follow up contacts, if applicable, as they relate to the applicant’s suitability and potential success as a licensed out-of-home caregiver. Itemize and state the family’s strengths and needs, taking into consideration all factors affecting the health, safety and welfare of children who might be placed in this home. A recommendation shall be made as to the appropriateness of licensure.

3. If recommending licensure, provide a description of the type of children the family appears most appropriate to foster, including number of children, age, gender(s), types of

behaviors, and special needs. Explore and address any limitations or concerns and under what conditions the prospective family would be willing or able to accept the child.

4. If not recommending licensure, the summary shall indicate the specific reasons for the recommendation and identify and address the standards the applicant is unable to meet.

(m) The home study summary shall be reviewed, and signed by the licensing counselor and the counselor’s supervisor. A copy of the home study summary shall be provided to the applicant(s).

(6) Application Packet Submission and Approval Process.

(a) The complete application packet shall be submitted to the district or regional licensing authority. The district or regional licensing authority shall request any additional information needed within ten calendar days of receipt of the packet.

(b) The application packet shall consist of the following documentation and shall be provided to the licensing authority for review when requesting issuance of a family foster home license:

1. “Application for License to Provide Out-of-Home Care for Dependent Children”, CF-FSP 5007, March 2007, available at www.dcf.state.fl.us/publications/;

2. “Release of Information”, CF-FSP 5090, March 2007, available at www.dcf.state.fl.us/publications/;

3. “Authorization for Release of Health and Medical Information for Prospective Foster or Adoptive Parents”, CF-FSP 5230, October 1996, available at www.dcf.state.fl.us/publications/ (as needed);

4. Licensing Home Study;

5. Proof of Income;

6. Signed bilateral service agreement as specified in subsection 65C-30.001(11), F.A.C., between the supervising agency, lead agency and the potential licensed out-of-home caregiver. If the home is being licensed by a non-contracted agency, the agreement will be between the supervising agency and the potential licensed out-of-home caregiver.

7. Pre-service training certificate;

8. Pre-service biographical profile;

9. Documentation of water safety training, if applicable;

10. “Confidentiality Agreement”, CF-FSP 5087, March 2007, available at www.dcf.state.fl.us/publications/;

11. Verification of Criminal History Screening as specified in subsection 65C-13.022(2), F.A.C., including:

a. Signed and notarized “Affidavit of Good Moral Character”, CF 1649, January 2007, available at www.dcf.state.fl.us/publications/;

b. Local Law Enforcement Check;

c. Civil Court records check as described in Rule 65C-13.022, F.A.C.;

d. Florida Department of Law Enforcement records check;

e. Clearance letter from the department regarding Federal Bureau of Investigation records check;

f. Record check through the department's Statewide Automated Child Welfare Information System.

g. Abuse registry checks on applicants and adult household members from any previous state the prospective parent(s) or other adult has resided in for the previous five years.

12. References and inquiry responses, including:

a. Three personal references;

b. Neighbor/Community references;

c. Employment reference;

d. References from adult children;

e. School references on all school age children;

f. Childcare references for all preschool children in child care arrangements;

g. References and documentation regarding any previous licensure as out-of-home caregivers.

13. Family Documents:

a. Current marriage certificates;

b. All final judgments of dissolution of marriage;

c. Custody orders affecting applicant's children or other children the applicant may have custody of;

d. Documentation of legal residency for applicants not born in the United States;

e. Driver's license(s) and driving records;

f. Vehicle insurance.

14. Foster Home Safety Documentation:

a. Satisfactory environmental health inspection report from the local health department;

b. Radon testing results (when applicable and as per Section 402.056(4), F.S.);

c. Fire inspection report (where required by local zoning laws);

d. Floor plan;

e. Evacuation and disaster preparedness plans;

f. Pet vaccinations (if applicable).

(7) The district or regional licensing authority is responsible for ensuring that the licensing application packet is complete, that all licensing requirements are met and for the issuance of the license. The licensing packet shall contain documentation of a review by the department's district or zone licensing staff and a recommendation for approval or denial by the district or zone licensing authority.

(8) If the family foster home is located in a district or region other than where the submitting supervising agency is located, the application packet shall be submitted to the district or regional licensing authority where the prospective family foster home is located. The district or regional licensing authority shall provide written notification of the outcome of the application to the supervising agency and licensing

authority in the district or region where the supervising agency is licensed within five working days of issuing the license or denial letter.

(9) If the application packet is approved, a license shall be issued to the applicant(s). The license shall include the name and address of the caregiver(s), the name of the supervising agency along with the licensed capacity and the dates for which the license is valid. The district or regional administrator or designee within upper level management shall sign the license. Any limitations shall be displayed on the license if the study indicates the necessity for such restrictions, such as specific ages or gender preference. An initial license is valid for one year from the date of issuance unless the license is revoked or voluntarily relinquished.

(10) A copy of the license shall be provided by the licensing authority to the supervising agency.

(11) When the department determines that the application shall be denied, the department shall promptly notify the applicant and supervising agency by certified mail, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S.

(12) Unless the applicant voluntarily withdraws the application, the department shall proceed with formal actions pursuant to Rule 65C-13.034, F.A.C.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History-New _____.

65C-13.025 In-Service Training.

(1) Newly licensed out-of-home caregivers shall complete in-service training regarding the provision of psychotherapeutic medications within 120 days of initial licensure. A briefing regarding the provision and monitoring of psychotherapeutic medication shall be provided to the licensed out-of-home caregiver at the time of placement of any child in the home who requires the administration of psychotherapeutic medication. The briefing shall consist of a review of the proper dosage of the medication, the possible side effects and intended effects of the specific medications administered to the child being placed. All training shall be offered through curricula approved by the supervising agency. Licensed out-of-home caregivers already providing care for children prescribed psychotherapeutic medicines at the time of promulgation of this rule shall be provided with the training or briefing within 90 days of promulgation, if the training or briefing has not already been provided and documented in the file.

(2) Prior to the renewal of a license each licensed out-of-home caregiver shall successfully complete at least eight hours of approved in-service training. Licensed out-of-home caregivers shall be offered in-service training opportunities by their supervising agency. Training opportunities shall be offered no less than quarterly and at times and places convenient to the licensed out-of-home

caregiver. For those licensed out-of-home caregivers unable to attend, other methods shall be developed for satisfying this requirement. In-service training materials shall be approved by the supervising agency prior to use. Documentation of completed training shall be maintained in the licensure file.

(3) Licensed out-of-home caregivers participating in required in-service training shall be reimbursed for mileage expense at a rate not to exceed the rate paid per mile to supervising agency personnel.

(4) If the absence of the caregiver(s) would leave children without approved adult supervision, the supervising agency shall make provisions for childcare or shall reimburse the caregiver for childcare expenses if it is not provided.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New _____.

65C-13.026 Changes During the Licensed Year.

(1) General Requirements.

(a) The licensed out-of-home caregiver shall report events resulting in an arrest or other law violations involving any household member; a change in marital status; a change in household composition; a change of the physical address, changes in financial situation such as bankruptcy, repossessions and evictions, or a serious health issue such as a debilitating injury, or communicable disease regarding a household member, to the supervising agency within 48 hours. Failure to do so may be reason to suspend, deny or revoke a license if the non-reported situation threatens the safety of any child in care or results in the non-conformity with licensing requirements stated in this Rule.

(b) The following occurrences shall be reported by the out-of-home caregiver to the supervising agency upon occurrence or prior to the upcoming event when possible:

1. Change in marital status;
2. Change of home telephone number;
3. Change of mailing address;
4. Change of employment;
5. Significant change in work schedule.

(c) The supervising agency shall assess the impact on the household immediately upon learning one of these events has occurred or is likely to occur. Changes in physical address require re-licensing as described in Rule 65C-13.027, F.A.C.

(d) The supervising agency shall notify the lead agency and licensing authority within 24 hours of learning of an event resulting in an arrest or other law violation by a household member; a change in marital status; a change in household composition; a change of the physical address, changes in financial situation such as bankruptcy, repossessions and evictions or a serious health issue such as a debilitating injury or communicable disease regarding a household member of a family foster home.

(e) All new household members shall be fingerprinted within five days of residence and those fingerprints shall be submitted to the Florida Department of Law Enforcement within five days of the receipt of the fingerprints by the supervising agency. All household members shall meet the requirements for background screening as required in Rule 65C-13.022, F.A.C. and Sections 435.04 and 435.05, F.S.

(2) Marital Status. Reportable changes include marriage, separation, reconciliation, divorce or death of a spouse.

(a) If a licensed out-of-home caregiver marries or reconciles with an unlicensed spouse, the unlicensed spouse shall complete an "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, March 2007, available at www.dcf.state.fl.us/publications/, submit fingerprints within five calendar days of residence for background screening unless previously completed, attend pre-service training if not previously completed in the last five years, and meet all licensing requirements. The unlicensed spouse shall have six months from the date of marriage or reconciliation to complete pre-service training. Failure to meet the licensing and background screening provisions of this rule which may threaten the safety of any child in care, or place the home in violation of the licensing standards in this Rule, may be grounds for denial, suspension or revocation of an application or license. During this period, and based on the satisfactory completion of background screening requirements and the established good moral character of the unlicensed spouse, the home remains licensed and previously placed children may remain in the home, however no new children shall be placed in the home.

(b) The supervising agency will update the home study summary, including interviews with all children in the home, verification of satisfactory background screening, and verification of income and expenses, and notify the lead agency and the department within 30 days of any marriage or reconciliation. Once all licensing requirements have been met, the supervising agency shall update the home study summary and submit a request to the licensing authority for the issuance of a new license.

(c) In case of divorce or death of a spouse, the family foster home license shall be amended to remove the person who is no longer an out-of-home caregiver. A divorce decree shall be provided to the family foster home's supervising agency immediately upon the decree being entered by the court. The supervising agency shall provide a copy of the divorce decree to the licensing authority advising which caregiver has left the home and requesting that the license be amended. The licensing authority shall provide written notification to the individual and the supervising agency that the license is amended. The notification shall be made within fifteen days of the amendment.

(d) In cases of separation, divorce or death of a spouse, the supervising agency shall update the family home study summary and assess its impact upon the children placed in the home. The home study summary update shall include interviews with the children, if age appropriate, verification of income and expenses and the remaining caregiver's plan to meet all financial obligations. The updated home study shall be filed with the licensing authority within 30 calendar days of notice from the licensed out-of-home caregiver.

(3) Change in Household Composition.

(a) If the new household member lived outside the county of residence during the previous five years, local law enforcement checks shall also include all counties of prior residence in addition to the local records check completed in the current county of residence. For any new household member who resided in another state for any period of time during the last five years, abuse and neglect history checks shall be requested of the state(s) and the results documented.

(b) When new members join the household; the supervising agency shall update the home study summary and address the changes in sleeping arrangements within thirty days.

(c) The licensed out-of-home caregivers have the responsibility to notify the supervising agency of any individual expected to have unsupervised contact with the foster child except in situations where the child is participating in appropriate social and extracurricular activities according to their age and developmental level.

(4) Law Enforcement Involvement:

(a) Applies to all household members age 12 and older; and

(b) Includes arrests, incidents of domestic violence, driving infractions and may include any local law enforcement response to the home over the course of the licensed year.

(5) Change of Location. A license is issued for a specific location and is not transferable. An out-of-home caregiver shall notify the supervising agency no less than thirty days prior to the expected date of the relocation. The supervising agency shall complete a closure form indicating that the licensed out-of-home caregiver was in good standing at the time of the relocation.

(a) Within District.

1. Changing location within the district shall require a supplemental "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, March 2007, available at www.dcf.state.fl.us/publications/; an updated home study which contains a description of the home and neighborhood; school changes; sleeping arrangements; a satisfactory environmental health inspection of the new residence; the current floor plan; disaster plan; home emergency evacuation plan; fire inspection and radon testing, if applicable. A provisional license may be issued prior to the health inspection after the supervising agency licensing

counselor conducts a safety assessment of the new location. This provisional license should expire within 90 days of issuance by the licensing authority unless renewed. Renewal of the provisional license should only be considered in limited circumstances in which the potential licensed family foster home is considered safe and the additional requirements do not pose a threat to the safety and well-being of any children currently in the home. No new children shall be placed in a home that is provisionally licensed. The extension of the provisional license shall not exceed 90 calendar days.

2. The licensing counselor shall obtain all required documentation and submit it to the licensing authority in order for a regular license to be issued.

3. Once notification of the move is received, no additional children shall be placed in the home until a regular license for that address is issued.

4. The home study summary shall be updated to reflect all changes that occurred as a result of the move within 30 calendar days of occupancy by the licensed out-of-home caregiver.

5. At least one home visit shall be made as part of the updated licensing home study.

6. If approved, an amended license shall be issued with an effective date of the previous home's date of closure and shall expire on the same date as the previous license.

7. There may be circumstances in which the conditions of the new home do not allow recommendation for licensure. If this occurs, and there are dependent children placed in the home, the primary worker shall immediately begin the process of alternative placement options. Closure procedures should occur as set forth in subsection 65C-13.034, F.A.C.

(b) Between Districts.

1. A licensed out-of-home caregiver who plans to move from one district to another and wishes to continue being licensed, shall notify their current supervising agency at least 30 calendar days prior to the planned move. Coordination and responsibility for ensuring the transition of the home shall be provided as follows:

a. The supervising agency shall assist the out-of-home caregiver in finding a supervising agency in the district where he or she plans to relocate.

b. The lead agency will work with the current supervising agency in identifying and securing a commitment from the receiving supervising agency in the new district to complete the requirements for re-licensing in the new district or region.

c. The supervising agency, lead agency, licensed out-of-home caregiver, contracted provider, services worker and child welfare legal services must determine whether permanency planning will be affected and whether any children currently placed in the home should be placed elsewhere or move with their current licensed out-of-home caregivers.

d. If the plan is to allow the child(ren) to move with the current licensed out-of-home caregiver(s), it is the responsibility of the children's primary services worker to secure written agreement of the receiving services worker to provide courtesy supervision and to arrange for a safety assessment of the home within seventy-two hours of occupancy.

2. The current supervising agency shall inform the current district licensing authority in writing of the impending move and request that the complete licensing file be sent to the new district's licensing authority.

3. The supervising agency accepting responsibility for licensing the foster family home will provide a contact name and telephone number to the licensed out-of-home caregivers immediately upon acceptance of responsibility for the licensing process in the new district. The home study and complete application packet should be sent to the new licensing authority within sixty days of commencement. Prior to submission of the home study and application packet, the home remains un-licensed but a provisional may be issued after the safety assessment is completed and received by the new licensing authority and prior to the inspection by the county health department.

4. The new district licensing authority shall request any additional documentation legally required to ensure that all minimum standards and out-of-home caregiver expectations are met within ten working days of receipt of the application packet. If no additional information is legally required, the new license shall be issued within ten working days of receipt of the complete application packet. No additional children will be placed in the home until the new licensing authority signs the new license.

5. The new licensing authority shall send a copy of the new license to the former district. The former district will then close the licensing file.

6. If the decision is made to deny the new application, the licensing authority will notify the applicant and supervising agency by certified mail within five working days of the decision to deny, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S. If there are any dependent children that moved with the caregiver from the former district, the licensing authority will notify the new supervising agency within twenty-four hours of the decision to deny the application. The new supervising agency shall notify the former supervising agency and the contracted service provider responsible for courtesy supervision within twenty-four hours of receiving the notice and all possible placement options, the possible risk to the children and their best interest shall be considered and a decision made regarding their placement within twenty-four hours of receipt of the notification. The removal and placement of the children is the

responsibility of the former supervising agency and the contracted service provider with primary responsibility for supervision of the children.

(c) Out of State. The same process as outlined for a change in district is to be followed. However, if the children are to move out of state with the licensed out-of-home caregiver, the primary services worker is required to initiate an Interstate Compact for the Placement of Children request pursuant to Section 409.401, F.S., no less than 45 days prior to the move unless extenuating circumstances exist. If extenuating circumstances exist, the services worker shall provide an explanation and documentation of the circumstances surrounding the move for consideration and processing by the Florida Interstate Compact for the Placement of Children Office.

(d) Between supervising agencies.

1. A currently licensed out-of-home caregiver wishing to change providers shall file a supplemental "Application for License to Provide Out-of-Home Care for Dependent Children" CF-FSP 5007, March 2007, available at www.dcf.state.fl.us/publications/, with the desired supervising agency.

2. The desired supervising agency shall:

a. Request all information concerning the performance of the respective licensed out-of-home caregiver from the current supervising agency, including their recommendation for licensure;

b. Consider the application and advise the applicant in writing of whether it does or does not find the family appropriate for transfer to their agency within 30 days of receipt of the application; and

c. Notify the sending agency and the department of the determination.

3. Supervising agencies shall share all information concerning the performance of the respective licensed out-of-home caregiver, along with their recommendations, upon request.

4. If the licensed out-of-home caregiver is accepted, the new supervising agency shall submit a new application packet to the district or regional licensing authority for issuance of the new license.

5. If the request to change providers occurs during the licensure year, the new supervising agency need only submit an "Application for License to Provide Out-of-Home Care for Dependent Children" CF-FSP 5007, March 2007, available at www.dcf.state.fl.us/publications/, and letter of acceptance to the licensing authority. The licensing authority will issue an amended license to reflect the new supervising agency for the remainder of the established licensure year. The new supervising agency assumes all responsibility for the annual re-licensure activities.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New _____.

65C-13.027 Re-Licensing.(1) General.

(a) Re-licensing procedures shall be initiated by the supervising agency in a timely manner and the re-licensing packet submitted for consideration at least 30 days prior to expiration of the current license.

(b) Individuals wishing to re-license as out-of-home caregivers shall complete the "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, March 2007, available at www.dcf.state.fl.us/publications/. Married persons living together shall both sign the application. Any licensed out-of-home caregiver that requests an application either verbally or in writing for re-licensure shall be provided one.

(c) If the supervising agency has reason to believe that the licensed out-of-home caregiver's past performance indicates that he or she would not be a successful candidate for continued licensure, the applicant shall be advised prior to completion of the application renewal process.

(d) An applicant shall sign all required re-licensing documentation as requested.

(e) The supervising agency shall ensure the completion of the application process by doing the following:

1. Request an environmental inspection from the local health department. The request shall be made 60 days in advance of the home's re-licensing due date to facilitate the receipt of a satisfactory environmental health inspection report prior to the expiration of the license.

2. Direct the licensed out-of-home caregivers to obtain a radon test pursuant to Section 404.056, F.S., if applicable.

(f) The supervising agency shall ensure that all background screening described in Rule 65C-13.022, F.A.C., has been completed.

(g) References.

1. The supervising agency responsible for completing the re-licensing home study shall obtain and review the "Services Worker's Review of the Licensed Out-of-Home Caregiver's Performance", CF-FSP 5223, March 2007, available at www.dcf.state.fl.us/publications/, for the services workers who have supervised children in the home during the year.

2. The supervising agency shall also obtain and review two "Quality of Licensed Caregiver's Home: Community Input" references, CF-FSP 5225, March 2007, and available at www.dcf.state.fl.us/publications/. These references shall be from professionals in the community who are familiar with the licensee's performance during the year. These may include guardians ad litem, school personnel, child care providers, medical professionals, social service providers, or mental health therapists.

(h) The supervising agency shall obtain and review exit interviews from children over the age of five who exit the home following a placement of thirty days or more, as described in Rule 65C-28.017, F.A.C.

(i) Applicants for renewal shall provide the agency with:

1. An "Affidavit of Compliance: Background Screening Requirements", CF-FSP 5218, March 2007, available from www.dcf.state.fl.us/publications/, that attests to the fact that every member of the household and other personnel who work on a continuous basis in the home are in compliance with background screening pursuant to Section 409.175(6)(c), F.S.;

2. A Completed "Re-licensing Summary for Licensed Homes for Dependent Children", CF-FSP 5027, section B, March 2007, available at www.dcf.state.fl.us/publications/;

3. Documentation of at least eight hours of in-service training;

4. Updated driver's license, driving record, and auto insurance coverage information as applicable.

(2) Re-licensing Procedures.

(a) The supervising agency shall conduct a minimum of one face-to-face visit in the home and interview all household members prior to re-licensure.

(b) The supervising agency shall review and discuss the bi-lateral service agreement with the applicants and obtain their signatures, indicating their agreement to abide by the agreement.

(c) The licensing counselor shall inspect the entire premises of the home, including all interior and exterior areas, for compliance with the licensing standards pursuant to Rule 65C-13.024, F.A.C. Safety requirements as listed in paragraph 65C-13.029(6)(h), F.A.C., for storage of guns and other weapons, cleaning supplies, toxins and alcoholic beverages shall be observed and any concerns addressed in a corrective action plan prior to re-licensure.

(d) Vehicles used for transporting foster children shall be observed for seatbelt compliance and any obvious safety hazards documented and addressed in a corrective action plan, if necessary.

(e) Fire drill logs shall be reviewed and discussed to ensure compliance with licensing standards as detailed in subparagraph 65C-13.029(5)(i)5., F.A.C. The evacuation plan and disaster preparedness plan shall be reviewed and discussed.

(3) Re-licensing Home Study. As a part of the re-licensing application packet, the supervising agency shall make a thorough evaluation of each licensed out-of-home caregiver and document this evaluation in a re-licensing home study, which shall include, at a minimum:

(a) Demographics: Names, Dates of Birth, Address, and contact numbers;

(b) In-Service Training. List all applicable training, including dates, number of hours and topics. Identify expiration date for water safety training as applicable;

(c) Chronology. Dates of home visits and persons interviewed;

(d) Family Composition and Description. Note any changes in household composition, employment, family members, arrests, divorce or separations, serious illness or medical conditions in detail. Any new household member shall be interviewed and a written summary provided;

(e) Home and Neighborhood. Any changes to the physical environment, addition of a pool or remodeling, fencing, physical surroundings, and sleeping arrangements, maintenance of both interior and exterior conditions of home, surrounding outdoor area and continued availability of safe play areas for children, shall be documented;

(f) Animals. Any new animals such as dogs, cats or exotic pets that could potentially cause harm to a child should be discussed as in the initial licensing home study. Animals requiring rabies vaccination under Section 828.30, F.S., must be vaccinated for rabies and their vaccinations current at the time of re-licensure;

(g) Licensed out-of-home caregiver's fostering experience. Documentation of the licensed out-of-home caregiver's experiences with staff and providers and his or her statements regarding services received by the child shall be completed. Issues shall be addressed concerning the licensed out-of-home caregiver's experience with licensed out-of-home care over the last year and the family's feelings of how fostering has affected their relationships or lifestyle;

(h) Discipline. Description of how the licensed out-of-home caregiver has handled any behavioral problems with children placed in the home. Discipline practices used by the applicant with all children in the home;

(i) Family life:

1. Documentation of the licensed out-of-home caregiver's support and integration of foster children into the family such as attendance at and involvement with children's activities; transportation to school and social events; medical appointments and other family activities, hobbies, or extracurricular interests each foster child has been involved in;

2. Documentation of the level of cooperation of licensed out-of-home caregivers with legal families, visitation and the case plans for any children placed in the home over the past licensed year. A description of how the family has worked with the supervising agency in terms of partnership and case plan goals. A description of the licensed out-of-home caregiver's attentiveness to the provision of clothing and allowances to the children in his or her care.

3. Documentation of the licensed out-of-home caregiver's compliance with proper administration and monitoring of medication, cooperation with medical directives and appointments;

4. Documentation of the maintenance of school and resource records for each child in placement.

(j) Childcare. The supervising agency shall ensure that childcare providers are licensed and all babysitters have been screened in accordance with Rule 65C-13.032, F.A.C., and

approved by the supervising agency. Document the current arrangements for day care needs or after school care. If both parents work, the level and amount of supervision being provided by the applicant shall be explored;

(k) Transportation. Licensed out-of-home caregiver's cooperation with provision of transportation shall be addressed.

(l) Employment. The current employment status of each parent, including occupation, current place of employment, work hours and flexibility of schedule if changes have occurred over the licensed year;

(m) Financial Capacity and Income. Any change in financial status or employment shall be addressed;

(n) Safety. Documentation of compliance with licensing standards as they relate to the safety of the home. Discussions with applicants regarding disaster preparedness plan, evacuation plans, the Bi-lateral service agreement, medication logs, and fire drills shall be held and documented;

(o) Other Adult Household Members. The following information shall be obtained and documented for any other adult household members whether or not they intend to supervise or provide care to the foster child:

1. Background Screening pursuant to Rule 65C-13.022, F.A.C.;

2. Social History, including background and family history, significant relationships, marital status and any prior residences in or out of Florida;

3. Medical History as set forth in subparagraph 65C-13.024(5)(f)3., F.A.C.;

4. What responsibilities they intend to have with the foster child such as transportation, supervision [and care giving];

5. One personal reference from a non-relative.

(p) Background Screening. The results of all background screening information shall be reviewed for each individual in the home who is older than twelve years of age. Local law enforcement checks shall be completed prior to the one year expiration date of the existing results. Any arrests, qualifying abuse reports under Section 39.302(7), F.S., or findings of protective orders shall be addressed in the study completed by the supervising agency. The supervising agency or the department has the discretion to request background screening for any individual if there is a reasonable belief that:

1. The individual may be a household member; or

2. The individual's presence in the foster home may adversely affect the health, safety and welfare of the children in the home; or

3. The individual has or may have unsupervised contact with the children.

(q) History of Placements. Placements for the last year shall be identified and discussed. The licensed out-of-home caregiver's compliance with Rule 65C-28.010, F.A.C., shall be verified for children placed in the home governed by this

section. If the family requested that a child be moved, the reasons and circumstances should be addressed. The narrative should discuss each child who has left the home. The report should address how the family has worked with each child;

(r) Youth Exit Interviews. An exit interview with every child ages five through eighteen, according to Rule 65C-28.017, F.A.C.;

(s) Staff and Community Feedback. A summary of feedback from staff and community members as it relates to the family's continued suitability and performance as a licensed out-of-home caregiver;

(t) Foster Home Referrals, Concerns or Complaints. A summary of foster care referrals, unusual incidents, accidents and complaints received during the licensure year and any concerns received from staff or others;

(u) Summary. The licensing counselor shall summarize all information obtained from the "Services Worker's Review of Licensed Out-of-Home Caregiver's Performance" forms, CF-FSP 5223, March 2007, available at www.dcf.state.fl.us/publications/, exit interviews of children, licensing complaints, foster care referrals or abuse reports, the "Quality of Licensed Caregiver's Home: Community Input" form, CF-FSP 5225, March 2007, available at www.dcf.state.fl.us/publications/, and any unusual incidents, accidents, arrests or involvement with law enforcement and their impact on the ability of the licensed out-of-home caregivers to provide a safe and nurturing environment for children placed in their care. The narrative should include the type of children for whom the family is most appropriate, including number of children, age, gender, special needs and behaviors. A summary of the family's ability to continue the provision of foster care services shall be completed and encompass the following:

1. A recommendation shall be made concerning the appropriateness of continued licensure; and a written summary of on-going training needs including a professional development plan.

2. If continued licensure is recommended the licensing counselor shall provide a description of the type of children for whom the family appears most appropriate including number of children, age, gender, behaviors and special needs;

3. If continued licensure is not recommended, the summary shall address the specific statutory reasons for the recommendation and identify the standards the applicant is unable to meet;

4. The home study shall be reviewed, signed and dated by each licensed out-of-home caregiver, the counselor responsible for completing the study and the counselor's supervisor.

(4) Re-licensing Application Packet. The following documentation shall be provided to the licensing authority when requesting re-licensure of a family foster home:

(a) "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007 March 2007, available at www.dcf.state.fl.us/publications/;

(b) Re-licensing Standards Checklist;

(c) Re-licensing Home Study;

(d) "Re-licensing Summary for Licensed Homes for Dependent Children" CF-FSP 5027, sections A and B, March 2007, available at www.dcf.state.fl.us/publications/;

(e) Signed bi-lateral service agreement;

(f) Verification of at least eight hours of in-service training, including and verification of Psychotherapeutic Medication training if appropriate;

(g) "Quality of Licensed Caregiver's Home: Community Input" forms, CF-FSP 5225, March 2007, available at www.dcf.state.fl.us/publications/;

(h) "Services Worker's Review of Licensed Out-of-Home Caregiver's Performance", CF-FSP 5223, March 2007, available at www.dcf.state.fl.us/publications/;

(i) Youth exit interview forms;

(j) Copies of driver's license and validation of vehicle insurance;

(k) Satisfactory environmental health inspection report from the local health department;

(l) Radon testing results (if applicable);

(m) Evacuation and disaster preparedness plans;

(n) Pet vaccinations (if applicable).

(o) Criminal and Abuse/Neglect History Screening:

1. Record check through the department's Florida Abuse Hotline and Statewide Automated Child Welfare Information System;

2. Local law enforcement records checks as specified in subsection 65C-13.022(2), F.A.C.;

3. FDLE records checks (if applicable);

4. Civil Court Record Checks as described in Rule 65C-13.022, F.A.C.;

5. Signed "Affidavit of Compliance Background Screening Requirements", CF-FSP 5218, March 2007, available at www.dcf.state.fl.us/publications/, and as provided in Section 409.175(6)(c), F.S.

(p) Any licensing deficiencies shall be corrected prior to recommending re-licensure.

(5) Re-Licensing Process.

(a) The completed application packet, as described in subsection 65C-13.027(4), F.A.C., shall be submitted by the supervising agency to the licensing authority no less than thirty days prior to expiration of the current license.

(b) Within ten working days of receipt of the complete re-licensing packet, the licensing authority shall determine if the re-licensing application packet is complete and notify the supervising agency in writing of the need for any additional materials or information. The supervising agency must submit the necessary materials or information to the licensing

authority within ten working days of receipt of the written notice. A license cannot be issued until all information has been received in order to ensure the safety and well-being of children.

(c) Once a complete re-licensing application packet is received and the licensing authority determines that the applicant can ensure the safety and well-being of children, a license shall be issued to the applicant no later than ten working days from receipt of the complete packet.

(d) If the completed packet of materials was received prior to the expiration of the existing license then, upon approval, the renewal date of licensure shall begin on the day the current license expires.

(e) If the submitted application packet is not complete at the time the existing license expires, the renewal date of licensure shall be the actual date of approval by the licensing authority.

(f) A copy of the license shall be provided by the licensing authority to the supervising agency.

(g) If the supervising agency or department determines that the out-of-home caregivers have not satisfactorily met the standards for continued licensure, the department shall consult with the District Legal Counsel, lead agency and supervising agency, concerning the appropriate course of action.

(h) Unless the applicant voluntarily withdraws the application, the department shall proceed with formal actions pursuant to Rule 65C-13.034, F.A.C.

(i) Licensed out-of-home caregivers meeting the criteria of Section 409.175(6)(j), F.S., may be issued a license for longer than one year, but no longer than a three year period of time. During the three-year period the licensing counselor shall conduct a minimum of one face to face visit in the home on an annual basis, obtain the information and documentation outlined in this section and submit it to the licensing authority with a statement certifying that the family continues to meet all licensing requirements. A review of all required re-licensing information shall be conducted at the end of every three year licensing period. The annual review of a three-year license shall include:

1. A "Re-licensing Summary for Licensed Homes for Dependent Children", CF-FSP 5027, Sections A and B, March 2007, available at www.dcf.state.fl.us/publications/;

2. Documentation of at least eight hours of in-service training;

3. Updated verification of water safety training if appropriate;

4. Background screening which includes local law enforcement records checks completed prior to the one year expiration date on the existing checks, an abuse history check, and FDLE re-screening if applicable;

5. Affidavit of Compliance: Background Screening Requirements", CF-FSP 5218, March 2007, available at www.dcf.state.fl.us/publications/, and according to Section 409.175(6)(c), F.S.;

6. "Services Worker's Review of Licensed Out-Of-Home Caregiver's Performance", CF-FSP 5223, March 2007, available at www.dcf.state.fl.us/publications/;

7. Youth exit interviews as set forth in subsection 65C-28.017, F.A.C.;

8. Updated documentation of driver's license(s) and vehicle insurance if applicable;

9. Updated evacuation and disaster preparedness plan if changes in layout of the home or means of egress have occurred.

10. Pet vaccinations (if applicable); and

11. An "Application for License to Provide Out-of-Home Care for Dependent Children" CF-FSP 5007, March 2007, available at www.dcf.state.fl.us/publications/.

(6) Applicants Previously Licensed or Approved in another State, District, or Region.

(a) If the applicants were licensed previously in another state or outside the district or region in which they are seeking licensure, the supervising agency shall make a written request to the previous licensing agency for a reference, copies of the initial and last licensing studies, closing summaries, information about any complaints, foster care referrals, or concerns expressed regarding the prospective family's parenting ability, reason for closure, and the results of their background screening and abuse history check.

(b) The written request and all information received from the originating state, district or region shall be included in the application packet.

(c) Applicants who have previously completed a departmentally approved pre-service training curriculum in the past five years, and who can provide proof of completion, shall not be required to complete pre-service training. Applicants who completed pre-service training in another state may be exempt from pre-service training if the curriculum is the same as an approved version of pre-service training offered in Florida. Supervising agencies may submit a copy of the curriculum to the department for review and approval if the pre-service training previously completed is not an approved curriculum in Florida.

(7) Re-opening of Previously Licensed Out-of-Home Caregivers within District or Region.

(a) If the applicants were licensed previously in the same district where they are currently seeking licensure, the supervising agency shall seek information from the previous supervising agency which describes the applicants' performance and history as licensed out-of-home caregivers. All attempts shall be documented.

(b) Applicants shall complete all initial licensing requirements with the exception of pre-service training, if previously completed within five years.

(c) All information received from the originating supervising agency shall be included in the application packet.

(d) For previously licensed out-of-home caregivers that wish to reopen and submit an application within ninety days from closure, the supervising agency is allowed to utilize the prior background screening results. In addition, the re-licensing procedures shall be followed in accordance with the Re-licensing Procedures in Rule 65C-13.027, F.A.C.

(e) If the application packet is approved, a license is issued to the applicant(s). The license shall include the name and address of the caregiver(s), the name of the supervising agency along with the licensed capacity and the dates for which the license is valid. The district or regional administrator or designee in upper level management shall sign the license. Any limitations shall be displayed on the license if the study indicates the necessity for such restrictions, such as specific ages or gender preference.

(f) A copy of the license shall be provided by the licensing authority to the supervising agency.

(g) When the department determines that the application shall be denied, the department shall consult with child welfare legal services to determine the appropriate course of action. If the decision is made to deny the application, the applicant and supervising agency must be notified by certified mail within five working days of the decision to deny, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S.

(h) Unless the applicant voluntarily withdraws the application, the department shall proceed with formal actions pursuant to Rule 65C-13.034, F.A.C.

Specific Authority 409.175 FS, Law Implemented 409.175 FS, History-New _____.

65C-13.028 Licensed Out-of-Home Team Member Roles.

(1) Responsibilities of the Licensed Out-of-Home Caregiver to the Child.

(a) All children in the home shall be protected from exploitation, neglect, and abuse. Suspected child abuse or neglect including incidents of child-on-child sexual abuse shall be reported immediately to the Florida Abuse Hotline.

(b) The child must be assisted in understanding and accepting who he is, and helped to deal with any feelings about his or her legal parents and the circumstances which brought him or her into out-of-home care.

(c) Licensed out-of-home caregivers shall provide a loving environment, acceptance, and care to a child without expecting a demonstration of appreciation from the child.

(d) Licensed out-of-home caregivers shall provide the child with opportunities for normal growth and development.

(e) Licensed out-of-home caregivers shall accept the direction and supervision given by the department or supervising agency in caring for the children.

(f) Licensed out-of-home caregivers shall promote the following conditions for the child in the home:

1. Opportunities and encouragement to communicate and have contact with family members, friends, and other people important to the child. The only exception is when the court specifically bars contact with an individual;

2. Respect for the child's body, person, possessions, bed and personal space;

3. Opportunities to develop interests and skills through participation in school and community activities;

4. Encourage and support the child in making new friends and maintaining past friends who have had a positive relationship with the child;

5. Licensed out-of-home caregivers shall keep records of school reports.

6. Licensed out-of-home caregivers shall never make negative statements about a child's family and shall work to preserve the child's cultural history and family connections.

7. Licensed out-of-home caregivers should work in partnership with the child's services worker in maintaining awards, special recognitions, family photos, and other items that will help the child maintain a sense of his or her identity and connections.

(g) Family Care Activities.

1. Daily living tasks.

a. Licensed out-of-home care providers are expected to provide supervision, structure and daily activities designed to promote the individual physical, social, intellectual, spiritual, and emotional development of the children in their home according to each child's age and developmental level.

b. Licensed out-of-home care providers shall assist the children in performing tasks and developing skills, which will promote their independence and the ability to care for themselves.

c. Licensed out-of-home caregivers will help children in their care maintain a sense of their past and a record of their present.

d. Licensed out-of-home care providers may expect children in care to assume household chores reasonable for their age and ability but not to exceed those expected of their own children.

e. Children in out-of-home care shall be provided information as appropriate to their age and maturity level, concerning drug and alcohol use and abuse, teen sexuality issues, runaway prevention, health services, community involvement, knowledge of available resources, and in identifying legal issues. These opportunities shall not be withheld as a form of discipline.

f. Children in out-of-home care shall be encouraged and assisted in participating in activities such as having his or her picture taken for publication in a newspaper or yearbook; receiving public recognition for accomplishments; participating in school or after-school organizations or clubs; and participating in community events. Children shall be able to participate in activities that promote personal and social growth, self-esteem and independence as long as they are not identified as foster children. Confidentiality requirements for department records shall not restrict the children's participation in customary activities appropriate for the child's age and developmental level.

g. Children in licensed out-of-home care shall be afforded every opportunity for social development, recreation, and normalization of their lives. Children in licensed out-of-home care may attend overnight or planned outings if such activities are determined to be safe and appropriate by the licensed out-of-home caregiver. The services worker shall be available for consultation and must be notified of the activity.

h. Licensed out-of-home caregivers shall be as diligent in determining approval for such events as he or she would for his or her own children. Licensed out-of-home caregivers shall use their parenting skills to familiarize themselves with the individual or group that the child wishes to spend time with and evaluate the child's maturity level and ability to participate in the activity safely and appropriately.

i. The licensed out-of-home caregiver may allow foster children to experience circumstances without adult supervision depending on the child's age, maturity, and ability to make appropriate decisions. The licensed out-of-home caregiver's familiarity with the child and the circumstances in which the child shall be unsupervised shall be the primary factors in the decision-making. The licensed out-of-home caregiver is ultimately responsible for the supervision of the child. Therefore the licensed out-of-home caregiver shall be prudent and conscientious about circumstances where the child is granted independence, including trips to the movies, mall, athletic events and work.

j. The licensed out-of-home caregiver shall have knowledge of where and with whom the child is staying and the type of supervision and care the child shall be receiving before approving an outing or overnight activity. The licensed out-of-home caregivers should meet the adult who will be supervising prior to allowing the child to spend the night away from their licensed placement or exercise the same reasonable and prudent decision-making they would use in making this decision for their own children. Overnight trips exceeding one night must be approved by the child's services worker and must not interfere with visitation schedules.

k. For children who are not legally free for adoption, legal parents input should be included in the decision-making process.

l. Background checks for dating and outings, such as school field trips, Cub Scout campouts, and activities with friends, families, school and church groups, are not necessary for participation in normal school or community activities.

2. Food and Nutrition.

a. The licensed out-of-home caregiver shall provide nutritionally balanced meals and age appropriate snacks.

b. Licensed out-of-home caregivers are expected to provide for any special dietary needs of foster children placed in their home.

c. Licensed out-of-home caregivers shall not withhold food as a means of discipline or punishment.

3. Clothing and Personal Belongings.

a. All children should be provided with their own clean, well-fitting, attractive clothing appropriate to their age, sex and individual needs, in keeping with community standards and appropriate to the season.

b. Each child must be provided towels, washcloths, and toiletry items such as toothbrushes, combs, and hairbrushes.

c. All children must be allowed to bring, retain and acquire personal belongings while in care. Licensed out-of-home caregivers must help each child protect and preserve possessions, which are important to the child.

d. Licensed out-of-home caregivers shall keep an inventory of all belongings the child brought to the home as well as those purchased or subsequently obtained for the child. When the child leaves the family home the licensed out-of-home caregiver must send along with him all serviceable clothing and personal belongings bought for, earned or given to the child. This includes any toys, bicycles, radios, or other things that are the child's personal belongings.

4. Religion and ethnic heritage. A licensed out-of-home caregiver shall cooperate with the child's services worker in arranging opportunities for a child to participate in the faith of his or her choice or that requested by the child's family. The child's services worker shall coordinate appropriate arrangements for the child's attendance at religious activities in partnership with the licensed out-of-home caregiver. An applicant whose religious belief precludes the use of a licensed medical professional shall not be licensed.

5. Discipline.

a. Licensed out-of-home caregivers shall discipline children with kindness, consistency, and understanding, and with the purpose of helping the child develop responsibility and self-control.

b. Licensed out-of-home caregivers shall use positive methods of discipline. Acceptable methods of discipline are reinforcing acceptable behavior, expressing verbal disappointment of the child's behavior, loss of privileges, grounding, restricting the child to the house or yard, or sending the child out of the room and away from the family activity; and redirecting the child's activity.

c. Licensed out-of-home caregivers shall not subject children to cruel, severe, or unusual forms of discipline.

d. Licensed out-of-home caregivers shall not use corporal punishments of any kind.

e. Licensed out-of-home caregivers shall not delegate discipline or permit punishment of a child by another child or by an adult not in a caregiver role.

f. Licensed out-of-home caregivers shall not withhold meals, clothing, allowance or shelter as a form of discipline.

g. Licensed out-of-home caregivers shall not ridicule or punish a child for bed-wetting or other lapses in toileting.

h. No child shall be mechanically restrained or locked in any enclosure, room, closet, bathroom or area of the house or premises, for any reason.

i. Licensed out-of-home caregivers shall not threaten a child with removal from the home or with a report to authorities as consequences for unacceptable behavior and shall not prohibit visitation with family and significant others as punishment.

j. Licensed out-of-home caregivers will seek the assistance of the child's primary services worker or therapist for behavior problems.

6. Health Care.

a. Licensed out-of-home caregivers are responsible for ensuring the child has routine medical, vision and dental care. The services worker shall promptly provide licensed out-of-home caregivers with the child's prescription medication and information regarding any medical, vision and dental interventions necessary for the child's health and well-being. Licensed out-of-home caregivers shall keep accurate records of the administering of all medications and of medical treatment and interventions.

b. Maintaining and keeping the medical history current is the responsibility of the licensed out-of-home caregivers.

c. Licensed out-of-home caregivers shall transport and accompany children for necessary medical, dental or other appointments. If transportation cannot be provided by the licensed out-of-home caregiver, he or she shall contact the child's services worker who shall be responsible for arranging transportation.

d. Licensed out-of-home caregivers shall ensure that each child who needs medical attention receives appropriate and adequate medical services promptly.

e. Licensed out-of-home caregivers shall notify the services worker or supervising agency of any serious illness or any injury that requires medical treatment for a child. Licensed out-of-home caregivers shall notify the supervising agency immediately, if the following occur: a child requires hospitalization or emergency medical treatment; or a child dies; or any other life-threatening situation occurs.

7. Medicine.

a. Licensed out-of-home caregivers are responsible for giving medication as prescribed and for recording the exact amount of any medication prescribed.

b. No child shall be given prescription medication without a physician's prescription.

8. Resource Records. The child's resource record shall be maintained as set forth in paragraph 65C-30.011(5)(a), F.A.C.

9. Education. Licensed out-of-home caregivers shall work in partnership with the child's services worker to address the child's educational needs and to allow for the continuation of school attendance as per subsection 65C-30.011(7), F.A.C.

10. Allowances. Children in licensed out-of-home care shall receive an allowance in accordance with the bi-lateral service agreement. The licensed out-of-home caregiver shall not expect the child to use this allowance for purchasing personal hygiene items, school supplies, clothing or other necessities. Allowances are not to be withheld as a form of discipline. The services worker shall check with the child during each home visit to verify that the child received the allowance, and the information shall be noted in the visitation report.

(2) Licensed Out-of-Home Caregiver Responsibilities to the Supervising Agency.

(a) Licensed out-of-home caregivers must work cooperatively with the services worker as a member of a treatment team in seeking counseling, other professional services and in preparing and implementing the case plan for each child.

(b) Licensed out-of-home caregivers must provide pertinent information for judicial review hearings and administrative review conferences for children placed in their home.

(c) Licensed out-of-home caregivers shall work in partnership with the services worker to maintain child resource records as defined paragraph 65C-30.011(4)(a), F.A.C., and in conjunction with the child's services worker.

(d) Licensed out-of-home caregivers must maintain the children's resource records in a secure manner, which insures confidentiality for the child and the child's legal parents.

(e) Licensed out-of-home caregivers must accept the child as a member of their family, and accord the child the rights and responsibilities appropriate to his age and level of maturity.

(f) Licensed out-of-home caregivers must work in partnership with the child's services worker in preparing the child to leave their family in accordance with the case plan goal, and must participate in and support the placement process.

(g) Licensed out-of-home caregivers shall only allow the child to be moved from the home by a child protective investigator or department, lead agency or supervising agency staff member, after seeing proof of identification.

(h) Licensed out-of-home caregivers shall obtain prior approval for the movement of the child to another home for purposes of respite.

(i) Licensed out-of-home caregivers shall notify the child's service worker at least two weeks in advance of vacations in which the child shall be participating.

(j) Licensed out-of-home caregivers shall assist in preparing the child to develop living skills that assist him or her as he or she grows toward adulthood.

(k) Licensed out-of-home caregivers shall notify the child's counselor of any sexually inappropriate action or behavior by the child.

(l) Licensed out-of-home caregivers shall comply with court orders, visitation plans and the case plan for any children placed in their care.

(m) Licensed out-of-home caregivers shall allow children and their legal family, including siblings, to communicate by mail and by telephone in accordance with the child's case plan and in keeping with the directions of the court.

(n) Licensed out-of-home caregivers shall not open the child's mail, monitor telephone conversations or otherwise interfere with free communication with the legal family, except as necessary to comply with the directions of the court.

(o) Licensed out-of-home caregivers shall promote social development by permitting children to engage in age appropriate social, school and employment related activities as detailed in the child's written plan for age appropriate activities according to Section 409.1451(3)(a)3., F.S.

(p) Licensed out-of-home caregivers shall support school attendance and participation and will support educational planning, i.e., college and vocational or technical programs.

(q) The licensed out-of-home caregiver shall provide children opportunities in the home and through life skills classes and other organized activities to learn and practice skills needed for independent living, such as food preparation, money management, consumer awareness, personal hygiene and appearance, housekeeping and care of personal belongings, accessing health care services, transportation, job seeking, education, study skills and interpersonal relationship building or other skills provided for in the child's independent living skills plan.

(r) The licensed out-of-home caregiver shall permit and encourage children, dependent on their age and maturity level, to engage in appropriate social and extracurricular activities in order to promote social development, obtain employment, have contact with family members, have access to phone usage, have reasonable curfews, and travel with other youth or adults.

(s) The licensed out-of-home caregiver shall support the child's efforts to learn to drive a car, obtain a learner's permit and driver's license as appropriate for their age, maturity level, and availability of insurance. If opportunities for driver's education are not available through the school district, the licensed out-of-home caregiver, services worker and legal

parents should work in partnership to assist the youth in finding a driver's education program and in obtaining automobile insurance for children who are allowed to drive. Nothing in this section is meant to imply that the licensed out-of-home caregiver must pay for a car, or insurance on behalf of the youth in their care.

(3) Responsibilities of the Licensed Out-of-Home Caregivers to the Child's Family.

(a) Licensed out-of-home caregivers must present a positive image of and demonstrate respect for the child's own family and must agree to maintain a working relationship with the child's family members as indicated in the child's case plan.

(b) Licensed out-of-home caregivers must participate in planning and facilitating visits for the child with his parents and family members as indicated in the case plan.

(c) Licensed out-of-home caregivers must allow children and their family members to communicate by mail and telephone in accordance with the child's case plan.

(d) Licensed out-of-home caregivers must share as many parenting experiences as possible with the child's legal family, i.e.: participating in school conferences and activities, transporting the child to medical appointments, buying clothing, and attending birthday parties.

(e) Licensed out-of-home caregivers must never be openly critical of the child's legal family to the child or to others. Negative experiences and feelings should be shared with the services worker in a private setting and any indication of abuse and or neglect shall be reported to the Florida Abuse Hotline.

(f) Licensed out-of-home caregivers must willingly share information about the child, his development, school progress, behavior, and any significant happenings with the services worker and with the legal family.

(4) Responsibilities of the Licensed Out-of-Home Caregivers to Their Own Family.

(a) Licensed out-of-home caregivers must involve their entire family in the decision to become a shelter or licensed out-of-home caregiver.

(b) Licensed out-of-home caregivers must prepare their own family for potential problems involved in providing family shelter or foster care.

(c) Licensed out-of-home caregivers must involve their entire family in each placement decision.

(d) Licensed out-of-home caregivers must discuss their decision to open their home to children with significant extended family.

(e) At the time of re-licensure the entire family of the licensed out-of-home caregivers should join with the supervising agency to evaluate the impact that licensed out-of-home care has had on their family. This joint evaluation should result in a decision to either continue providing foster care, emergency shelter care or group care or a decision that the family will not continue to provide care.

(5) Responsibilities of the Licensed Out-of-Home Caregivers to the Department and Supervising Agency.

(a) Licensed out-of-home caregivers are required to participate in at least eight hours of in-service training annually in order to develop and enhance their skills.

(b) The licensed out-of-home caregivers are required to participate in re-licensing studies and in ongoing monitoring of their home, and must provide sufficient information for the department to verify compliance with all rules and regulations.

(c) The licensed out-of-home caregivers must hold a license which is issued by the department.

(d) Licensed out-of-home caregivers shall only take for placement the children placed in their care by the lead agency or supervising agency. No plans for allowing other children or adults to reside in the home shall be made without prior approval of the supervising agency and the licensing authority.

(e) Licensed out-of-home caregivers must sign a "Child Service Agreement", CF-FSP 5227, June 2002, available at www.dcf.state.fl.us/publications/, for each child placed in their home.

(f) If the licensed out-of-home caregivers provide emergency shelter care, they must sign the "Civil Rights Certificate", CF 707, January 1997, available at www.dcf.state.fl.us/publications/. These homes are generally paid a monthly subsidy for remaining open on a 24-hour basis. The amount of the subsidy payment should be included in the agreement to provide shelter care.

(g) The licensed out-of-home caregivers must notify the supervising agency regarding changes which affect the life and circumstances of the shelter or licensed out-of-home caregiver.

(h) The licensed out-of-home caregivers must notify the supervising agency at least two weeks in advance of vacations in which the child will be participating.

(i) The licensed out-of-home caregivers must be able to accept supervision by agency staff and participate in and support case plans for children in their homes. Specifically, licensed out-of-home caregivers must be included in the development of case plans, and in carrying out these plans.

(j) The licensed out-of-home caregivers must notify the supervising agency immediately of illness or accidents involving the child.

(k) The licensed out-of-home caregivers shall notify the supervising agency immediately, day or night, if any of the following situations occur:

1. A child requires hospitalization or emergency medical treatment;
2. A child dies;
3. A child has run away, is abducted, or is absent from the home beyond reasonable expectations; or
4. Any other life-threatening situation occurs.

(l) When a foster child is believed to be missing, the licensed out-of-home caregiver shall also notify law enforcement and request that a missing child report be opened and obtain the case number, inspect the child's belongings to determine what items are missing and assist the child's services worker in efforts to locate the child.

(m) Licensed out-of-home caregivers shall notify the department and supervising agency if any child's services worker does not make a visit every thirty days. Notification of the department shall be made by calling 1-800 FLA-FIND.

(n) Licensed out-of-home caregivers shall be knowledgeable of the provisions of the federal Multiethnic Placement Act, which prohibits delay in the placement of a child on the basis of race, culture or ethnicity.

(o) Licensed out-of-home caregivers shall provide a home environment free of drug and alcohol abuse.

(p) Licensed out-of-home caregivers shall never sign blank forms or falsify records. Falsification of any records or signatures of blank forms shall result in a revocation or denial of the foster care license.

(q) Licensed out-of-home caregivers ~~to~~ must treat department, supervising agency and lead agency staff, a child's family, the guardian ad litem, and other professionals with respect and courtesy.

(r) Licensed out-of-home caregivers must complete the "Licensed Out-of-Home Caregiver's Review of Services Worker's Performance", CF-FSP 5224, March 2007, available at www.dcf.state.fl.us/publications/, regarding children's services workers who have supervised children in the home 30 days or more.

(s) Licensed out-of-home caregivers shall obtain authorization from the department or supervising agency before spending any funds that involve a request for repayment.

(t) Licensed out-of-home caregivers shall keep confidential all information about the child and the child's family. Discussing this information shall be limited to a departmental or agency staff member, guardian ad litem or other authorized professional working with the child.

(u) Licensed out-of-home caregivers shall be knowledgeable of the Americans with Disabilities Act and shall treat foster children with disabilities with respect and include them in activities to the extent that they are able.

(v) Licensed out-of-home caregivers are responsible for complying with all applicable laws, rules, regulations or ordinances of each governmental unit in which the home is located, including but not limited to those relating to Medicaid eligibility, fire safety, sanitation, health, safety, zoning, civil rights, employment and board rate eligibility.

(6) Responsibilities of the Lead Agency and the Department to the Licensed Out-of-Home Caregiver and Children in Care.

The lead agency or supervising agency will provide and coordinate training opportunities for licensed out-of-home caregivers. Licensed out-of-home caregivers shall be provided with information concerning the Multiethnic Placement Act and the Americans with Disabilities Act.

The lead agency or supervising agency must share all available information on each child placed with the licensed out-of-home caregiver since they have to:

1. Make an informed decision about whether the child should be placed in their home; and

2. Provide appropriate care for the child.

(c) The child resource record, as defined in paragraph 65C-30.011(4)(a), F.A.C., must be compiled into a packet of information on each child and be given to the licensed out-of-home caregiver at the time of placement or within 72 hours.

(d) The lead agency or supervising agency must consider the licensed out-of-home caregiver's opinion in all major decisions for children in their care, including reunification, adoption or other permanency options. The supervising agency and lead agency are responsible for supporting licensed out-of-home caregivers in their decision-making and for ensuring that children in licensed out-of-home care are provided with opportunities to engage in age appropriate activities, including the development of a written plan for age appropriate activities for children age thirteen and over, according to Section 409.1451(3)(a)3., F.S. This plan shall be developed in partnership with the child's licensed out-of-home caregivers.

(e) The lead agency or supervising agency must provide licensed out-of-home caregivers notice of judicial and administrative review conferences regarding children in their care, and must encourage their attendance and participation in these reviews.

(f) The services worker will visit with the licensed out-of-home caregivers in accordance with paragraph 65C-13.027(2)(a), F.A.C., and the children in their care at least every thirty days in accordance with subsection 65C-30.007(5), F.A.C.

(g) The services worker must involve the licensed out-of-home caregivers in the development of the case plan, and the visitation plan and shall provide the licensed out-of-home caregivers with a copy.

(h) The lead agency or supervising agency must give a minimum of two weeks notice prior to moving a child unless doing so would not be in the child's best interest or upon an order by the court.

(i) Protective investigation staff must immediately investigate abuse or neglect reports against licensed out-of-home caregivers, and will notify the state attorney's office, in accordance with Section 39.202, F.S. Whenever possible a staff member from the supervising agency will accompany the protective investigator. Supervising agency

staff must respond to and assess foster care referrals that involve licensed out-of-home caregivers. These policies and procedures must be discussed with all licensed out-of-home caregivers prior to licensing and again at every re-licensing.

(j) The services worker must provide the licensed out-of-home caregiver with a court order which authorizes the licensed out-of-home caregiver to obtain emergency medical treatment prior to giving approval for a child to travel outside the state with the licensed out-of-home caregiver for an extended period of time.

(k) The supervising agency will provide the licensed out-of-home caregivers with an emergency Medicaid card for the child when necessary.

(l) The community-based care provider will be responsible for securing and paying for medical, vision and dental care for children who are not eligible for Medicaid, or who need services not covered by that program.

(m) The services worker will coordinate with the licensed out-of-home caregiver in making an appointment for the initial Child Health Check Up as defined in subsection 65C-30.001(17), F.A.C., if not previously accomplished. When a child is placed in any setting in shelter status, the screening must be completed within seventy-two hours of entering shelter. The services worker will make appointments for follow-up treatment if the need for this is identified during screening and will coordinate with the licensed out-of-home caregiver in arranging transportation.

(o) The department or supervising agency may provide licensed out-of-home caregivers with identification cards at the time of licensing and re-licensing.

(p) The community-based care provider or supervising agency shall provide licensed out-of-home caregivers with the names and phone numbers of persons who should be contacted in emergencies.

(q) The services worker will provide consistent feedback to the licensed out-of-home caregivers on their work with the child in their care.

(r) The services worker will provide ongoing information on case plan progress for the child and the legal family, and will inform the licensed out-of-home caregivers of any changes in the plan.

(s) The services worker will review the child's case plan with the licensed out-of-home caregivers on each visit to the home.

(t) Agency staff shall treat licensed out-of-home caregivers with courtesy, respect and as an important team member.

(u) Education. When children are placed in licensed out-of-home care as a result of abuse or neglect, they must receive the services needed to meet their assessed academic needs, provide for educational continuity, and support their continued attachment to their legal parents and identified

community. The following conditions must be met in order to ensure that children receive appropriate services to meet their educational needs and preserve their principle attachments:

1. Children must be placed in a licensed care setting that allows continued enrollment in the same school whenever possible. A placement that would require a change in school could be a reason for placement elsewhere, if that is in the best interest of the child and is documented in the case file and reported to the court.

2. All children placed in licensed out-of-home care are to receive a comprehensive health, behavioral and mental health assessment as per Rule 65C-28.014, F.A.C., and their educational needs addressed as per paragraph 65C-30.006(5)(h), F.A.C.

3. If children must be temporarily placed in a setting that requires a change in school enrollment, there must be documentation in the case record that efforts have been made to provide transportation for the child to his or her previous school.

4. If transportation is not feasible, there must be documentation in the case record regarding identification of a licensed out-of-home setting that will allow re-enrollment at the earliest opportunity, or why continued placement elsewhere is in the child's best interest.

5. The case record shall show documented efforts made to keep children's legal parents involved in the child's educational progress unless parental rights have been terminated.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New

65C-13.029 Standards for Licensed Out-of-Home Caregivers.

(1) General Requirements.

(a) Generally, there should be no more than five children in a licensed home, including the family's own children.

(b) There shall be no more than two children under the age of two years in a home, including the licensed out-of-home caregiver's children.

(c) Therapeutic foster homes are limited to the placement of two children.

(d) Serving as a licensed out-of-home caregiver is a privilege and public trust. Applicants do not have an inherent right to a license as an out-of-home caregiver.

(e) Each licensed out-of-home caregiver applicant shall sign a Bilateral Service Agreement as defined in subsection 65C-30.001(11), F.A.C. The agreement shall be reviewed, and discussed with a licensing counselor prior to initial licensure and again at each re-licensure. The document must be signed by a representative from the supervising agency and the potential or licensed out-of-home caregiver.

(2) Utilization of Foster Home.

(a) Placement of a child in a home licensed by the Agency for Persons with Disabilities shall be approved by the Agency for Persons with Disabilities prior to placement. A home licensed by the Agency for Persons with Disabilities may be utilized for placement of children eligible for both programs without obtaining a separate license if the child is receiving Supplemental Security Income (SSI).

(b) Licensed Out-of-Home Caregivers Wishing To Offer Child Care.

1. Licensed out-of-home caregivers that have contracted with a lead agency are authorized by Section 409.1671(5)(b), F.S., to provide child care as a Licensed Family Day Care Home, as defined in Section 402.302(7), F.S., if they choose to do so and meet the requirements for licensing. Therapeutic or Medical Foster Homes can not be dually licensed.

2. All licensing standards and requirements for family foster homes and family day care homes shall be met and maintained.

3. Licensed out-of-home caregivers shall limit their operation as a Family Day Care Home as follows:

a. Hours of operation shall only occur between 6:00 a.m. and 7:00 p.m.:

b. During the hours of operation as a family child care provider, the licensed capacity of the home shall not be exceeded, including legal, adopted, foster children and children for whom child care is being provided;

c. Based on the premise that the foster care maintenance assistance is for the care of a foster child for a twenty-four hour period and includes the provision of daily supervision for the foster child, the out-of-home caregiver shall not be paid both the foster care board rate and child care subsidy for the same child;

d. A foster home providing child care under this section shall be inspected a minimum of twice per year. The inspection is to assess the impact of the child care operation on the fostering experience;

e. Where foster homes are also licensed as a Family Day Care Home, the department shall make every effort to coordinate inspections with a licensing counselor from the child-care licensing program; and

f. Complaint investigations shall be conducted in conjunction with a representative from child care licensing.

(3) Emergency Shelter Family Foster Homes.

(a) Emergency shelter care providers shall have the ability to receive and supervise children twenty-four hours per day.

(b) Emergency shelter care providers shall maintain a shelter log documenting the name of the child, date of birth, medications prescribed, the name of the services worker and the entrance and exit dates of the child placed in the provider's care.

(c) A family foster home may designate a certain number of beds for the purpose of shelter care as well as foster care.

(d) Emergency shelter parents shall familiarize each child with the evacuation plan.

(4) Personal Standards.

(a) A licensed out-of-home caregiver shall be a stable, responsible, and mature individual who is at least twenty-one years of age.

(b) At least one licensed out-of-home caregiver in the home shall be able to read, write and speak English and be able to effectively communicate with both any children placed in the home and with the supervising agency.

(c) A licensed out-of-home caregiver shall not operate the home as an adult boarding or rooming home or an adult daycare facility.

(d) The licensed out-of-home caregiver shall obtain written approval from the supervising agency prior to conducting any childcare or business in the home.

(e) A licensed out-of-home caregiver shall have a stable income sufficient to make timely payment for current shelter, food, utility costs, and other debts without relying on board payments unless the licensed out-of-home caregiver enters into an agreement with a lead agency to provide specialized care. Applicants shall have a source of income independent of child support or alimony.

(f) Childcare. Childcare for children in the custody of the department shall be with a licensed or registered child care provider. The cost of child care shall be assumed by the licensed out-of-home caregiver to the extent that subsidized child care is unavailable.

(g) Health History. A licensed out-of-home caregiver and any household members shall provide written statements from a physician regarding their general health, and whether they have any specific illness, disability, alcohol or other drug dependence, infectious diseases and other relevant health conditions that could threaten the safety of children in the home upon request by the department or supervising agency.

(h) Screening. Screening of licensed out-of-home caregivers and other household members shall meet the screening requirements set forth in Rule 65C-13.022, F.A.C.

(5) Physical Environment.

(a) The home shall be inspected by a representative of the environmental health office of the local public health department and receive a satisfactory inspection result for water supply, food holding temperature, plumbing, vermin control, sewage, and garbage and rubbish disposal, prior to initial licensing and annually prior to re-licensing.

(b) Family foster homes located in counties designated by the Department of Community Affairs Florida Radon Protection Map Categories as "intermediate" or "Elevated Radon Potential" areas shall be tested to determine the level of indoor radon as required in Section 404.056, F.S. Radon levels shall be at a level which does not affect the safety and

well-being of children in the homes. Re-testing of licensed family foster homes for radon gas shall take place as required in Section 404.056, F.S.

(c) Outdoor Area.

1. The exterior of the home and premises shall be free from objects, materials, and conditions which constitute a danger to children. All garbage and trash shall be covered and removed regularly. There shall not be large, potentially dangerous items stored in the safe outdoor play area such as old refrigerators, stacks of lumber and unregistered vehicles or boats.

2. The home shall have a safe outdoor play area on the property or within reasonable walking distance. All outdoor play equipment shall be kept in good repair. If the home is located on a busy street, there shall be a safety plan for supervision.

(d) Water Safety and Supervision.

1. Children shall be supervised visually at all times when they are in close proximity to any body of water. Access to swimming pools and bodies of water shall be restricted when supervision is not available and children shall never be left to swim alone.

2. Children who are placed in family foster homes which are adjacent to any body of water or that have swimming pools shall be instructed in water safety as appropriate for their age.

3. Wading pools shall be set up and maintained according to the manufacturer's instructions. Wading pools shall be emptied and stored when not in use and shall be filled with clean water before each use.

(e) Swimming Pools.

1. Swimming pools shall have a barrier on all sides at least four feet high. The barrier shall consist of a house plus a fence on the remaining three sides or a four-sided fence.

2. All access through the barrier shall have one of the following safety features: alarm, key lock, self-locking doors, bolt lock or other lock that is not accessible to children.

3. When the swimming pool is not in use all entry points shall be locked.

4. Above ground pools with steps or ladders shall have them secured, locked, or removed when the pool is not in use.

5. If the pool cannot be emptied after each use, the pool shall have a working pump and filtering system.

6. Hot tubs and spas shall be required to have a safety cover that is locked when not in use.

7. Swimming pools shall be equipped with one of the following life saving devices: ring buoy; rescue tube; flotation device with a rope; or a shepherd's hook of sufficient length to cover the area.

(f) Interior Environment.

1. The home shall have sufficient space and furnishings and be accessible to all members of the family.

2. Each child shall be provided with adequate storage space for personal belongings and a designated space for hanging clothes in or near the bedroom occupied by the child.

3. Bath and toilet facilities shall be clean and in good working order with a door for privacy.

4. The door of each bathroom shall have a lock that may be opened from the outside in an emergency.

5. The home shall be clean and free of hazards to the health and physical well-being of the family.

6. The home shall have a continuous supply of clean drinking water tested and approved by the local health department if the source of water is not from a municipal water supply. If the water is not approved, the licensed out-of-home caregiver shall agree to use bottled water for cooking and drinking until a satisfactory water report is obtained.

7. The home shall have an adequate supply of hot water. Hot water accessible to children shall not exceed 120 degrees Fahrenheit.

8. Each foster home shall have a working telephone in the home and accessible at all times. Emergency telephone numbers shall be posted by the telephone. Licensed out-of-home caregivers shall immediately notify the supervising agency if their telephone number changes.

9. All toys and equipment shall be in safe condition and kept clean and sanitary.

10. All rooms used by children shall be at a comfortable temperature. Rooms shall be dry and well ventilated.

11. All doors and windows used for ventilation shall be screened.

12. Rooms used by children shall be clean and well lit for activities such as homework, board games, and other educational or recreational opportunities.

13. When children are present, rooms shall be free of tobacco smoke.

(g) Sleeping Arrangements.

1. Bedrooms shall have adequate space for the number of children sleeping in the room. A minimum of forty square feet per child is required. Homes that are licensed prior to the promulgation of this rule shall be exempt from this requirement.

2. An adult shall be within hearing distance and accessible to the rooms where children under six years of age are sleeping.

3. Each child shall be provided with a clean, comfortable, permanent bed and mattress of his or her own. The bed shall be of sufficient size to comfortably accommodate the child.

4. Infants shall have their own crib which shall be maintained in good and safe condition and have a clean and comfortable mattress that fits snugly in the crib frame. Cribs shall not be placed close to windows with curtains or cords in which the child might become entangled.

5. Bunk beds shall be safe and sturdy. Bunk beds shall be equipped with safety rails on the upper tier for a child under the age of ten or for any child whose physical, mental, or emotional condition indicates the need for such protection. Beds shall not be bunked higher than two tiers.

6. A licensed out-of-home caregiver shall provide each foster child with clean linens. A foster child shall not be required to sleep on linens soiled by urine or excrement. Waterproof mattress covers should be provided for all beds and cribs of children experiencing enuresis or encopresis. Plastic garbage bags must not be used as mattress covers.

7. Children of any age shall not sleep on a living room sofa, cot or foldaway bed except in extenuating circumstances.

8. The entry to the foster child's bedroom shall not be located so as to require the foster child to pass through another bedroom or bathroom in order to enter his or her bedroom.

9. Children may never share a bed with an adult, regardless of age.

10. Children may not share a bed.

11. Children over 36 months of age may not share a bedroom with a child of the opposite sex.

12. Children over the age of twelve months shall not share a bedroom with an adult. The only exception to this would be if one of the children sharing a bedroom reaches his or her eighteenth birthday and the out-of-home caregiver and the supervising agency approve this sleeping arrangement. This exception applies only to the circumstances described above and not to any new placements in the home.

13. Infants twelve months of age or younger may share a bedroom with an adult provided the infant sleeps in his or her own crib.

(h) Foster Home Safety.

1. The licensed out-of-home caregiver shall make every effort to identify and immediately correct any hazard to the safety of foster children while in the home or while being transported.

2. All poisonous chemicals shall be in a locked location. Hooks, child safety latches and other baby proof devices do not qualify as locked storage for poisonous chemicals. Cleaning materials shall be made inaccessible to children.

3. Each foster family home shall have a first aid kit available and accessible to all caregivers.

4. All medications shall be stored in a location that is locked and inaccessible to children. Hooks, child safety latches and other baby proof devices do not qualify as locked storage for medications.

5. Alcoholic beverages shall be stored in a location out of reach to children.

6. Dangerous weapons shall be secured in a location inaccessible to children. Storage of guns shall comply with the requirements in Section 790.174, F.S. Weapons and ammunition shall be locked and stored separately, and in a place inaccessible to children.

7. Animals requiring vaccinations shall be current in all vaccinations. All animals shall be well cared for and maintained. The foster family home shall have a secure method to restrict children's access to potentially dangerous animals.

(i) Fire Safety.

1. The home shall be safe from fire hazards. All combustible items shall be stored away from sources of heat. Exits, stairways and hallways shall be free of obstacles that would hamper an emergency evacuation. The home shall have at least two exits. All doors with locks shall be capable of being opened from the inside.

2. All equipment such as heating and cooling units, washers, dryers, refrigeration systems, stoves and hoods shall be properly installed, vented and maintained.

3. Each bedroom shall have two means of exit in case of emergency. Bedrooms above ground level must have a means of escape that will allow for safe exit. If the home is equipped with burglar bars, the caregiver shall demonstrate that the burglar bars can be released to allow exit. A key placed near a window does not qualify as an approved emergency release method. Age appropriate training on opening of the burglar bars shall be provided to each child upon placement.

4. The licensed out-of-home caregiver shall have an evacuation plan posted in a conspicuous place in the home. The plan shall specifically provide for the safe exit of children who are incapable of understanding the plan or participating in drills. This plan should be shared with all children as appropriate to their age and level of understanding upon placement in the home.

5. Fire drills shall be conducted a minimum of two times a year. The licensed out-of-home caregiver shall maintain a log of fire drills conducted, including the date, beginning and ending time, specific location and participants' names.

6. Each floor in the home shall have a fully charged, unexpired 2A10BC fire extinguisher. One of the fire extinguishers shall be adjacent to the kitchen. There shall also be at least one operating smoke alarm on each floor. There shall be a smoke alarm in each bedroom area.

7. The home shall not be heated by un-vented gas fired space heaters or oil heaters unless they are equipped with an oxygen depletion sensor and the home has a carbon monoxide alarm. All gas-fired devices shall be equipped with an automatic pilot gas shut-off control. All electrical wiring shall meet required building codes.

8. All fireplaces, space heaters, steam radiators, and hot surfaces shall be shielded against accidental contact. Access by children under six years of age shall be restricted by a barrier.

9. Extension cords shall not extend from one room to another with the exception of situations involving emergency loss of power due to a natural or manmade disaster. Multiple electric outlet adapters shall not be used for more than two extensions at one time.

10. Volatile materials shall not be stored where water heaters are located or near other sources of heat. Attic space shall not be used for the storage of volatile materials.

(j) Transportation Safety.

1. The licensed out-of-home caregiver shall have transportation available twenty-four hours a day. All vehicles used to transport children shall be in safe condition, in compliance with applicable motor vehicle laws of the state, and equipped with seat belts and approved car seats for children as required under Section 316.613(1)(a), F.S. Vehicles shall be smoke-free when foster children are being transported. The out-of-home caregiver shall have the ability to safely transport the number of children in his or her care.

2. The licensed out-of-home caregiver shall have all vehicles insured. The out-of-home caregiver shall not allow foster children to be transported by any person not possessing a valid driver's license or auto insurance.

3. The licensed out-of-home caregiver shall not have driving violations less than five years old on file with the Department of Motor Vehicles, which relate to driving under the influence of alcohol, or drugs. A copy of the out-of-home caregiver's driving record shall be provided to the licensing authority at the time of initial licensure and at each re-licensure.

4. The licensed out-of-home caregiver shall not transport foster children in vehicles such as truck beds, motorcycles, or any other high-risk method of transportation. The out-of-home caregiver shall not transport children on his or her lap.

(k) Disaster Plans.

1. Each licensed out-of-home caregiver shall make a written plan for evacuation in the event of a natural or man made disaster. The plan shall be kept up to date.

2. The plan shall include where the family intends to go and information as to how the family may be reached and must be shared with the supervising agency.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New _____.

65C-13.030 Terms of a License.

(1) It is unlawful for any person to make a willful or intentional misstatement on any license application or other document filed in connection with an application for a license. An applicant who makes such willful or intentional misstatements shall have his or her license denied or revoked.

(2) The district or regional licensing authority shall request in writing, any additional information legally required for the purposes of making a licensing determination, within ten

working days of receipt of an application packet and either grant or deny an initial license application within ten working days of receipt of a complete application packet.

(3) Because the safety and welfare of children are obviously impacted, the Department of Children and Families has broad discretion with regard to licensing family foster homes under Section 409.175, F.S. The responsibilities of the department pose issues not involved in professional or business licenses issued by other agencies, therefore, a license issued under this section is not a professional license; does not create a property right in the recipient and is not an entitlement. A license to provide out-of-home care is a public trust and a privilege.

(4) Initial licenses shall only be issued to persons who have met all licensing requirements.

(5) A license is issued to specific caregivers for a specific location and is not transferable to any other person or location. Offices, conference rooms and other non home-like settings are not appropriate for licensing or placement of children in care.

(6) The license shall reflect the name of the licensee, the licensee's physical address, city and county, the name of the supervising agency and the license number along with its beginning and expiration dates. The approved capacity and any limitations placed on the licensed out-of-home caregiver shall be displayed. An initial license is valid for one year from the date of issuance unless the license is revoked or voluntarily relinquished.

(7) A license for renewal shall be issued for longer than one year but no longer than three years providing that the applicant has:

(a) Maintained a license with the department for three consecutive years;

(b) Is in good standing with the supervising agency and the department;

(c) Has not been the perpetrator of an abuse or neglect report with some indicators or verified findings of maltreatment.

(8) The department reserves the right to reduce a licensure period at any time. When the department determines that a reduction in the licensure period is warranted, it shall promptly notify the supervising agency and the applicant in writing, identifying the reasons for the reduction in the licensure period, the statutory authority for this action and the applicant's right of appeal pursuant to Chapter 120, F.S.

(9) Authorized licensing staff of the department or supervising agency may make unannounced inspections of a licensed foster home. The inspection may include examination of all rooms and areas on the property and interviews of all household members.

(10) All licenses shall be signed by the district or regional administrator or designee in upper level management.

(11) Provisional License.

(a) Provisional licenses shall not be issued without the submission of a written plan to the licensing authority identifying the deficiencies and time frames for correcting the deficiencies prior to the expiration of the provisional license.

(b) No license shall be issued if there is a failure to comply with background screening requirements of Rule 65C-13.022, F.A.C.

(c) In rare instances, the department may issue a provisional license to an applicant who is unable to fully conform to the licensing requirements, but who is believed to be able to meet the licensing requirements in matters that do not involve immediate danger to children or jeopardize their safety. Before a provisional license may be issued, a corrective action plan shall be developed by the applicant and the supervising agency and be submitted with the application packet.

(d) Under no circumstances shall new or additional children be placed in a foster home which has been issued a provisional license.

(e) A provisional license may be issued for a period of up to one year but shall not be re-issued as a continued provisional license.

(f) A provisional license may be suspended if periodic inspection made by the supervising agency indicates insufficient progress has been made toward corrective action plan compliance.

(12) License Modifications.

(a) Modifications shall be made to a license at the request of the licensed out-of-home caregiver or as a result of corrective measures.

(b) Modifications which alter information set forth on the existing license shall result in the issuance of a new license. This new license shall be titled "Amended License" and shall expire on the same date as on the existing license.

(c) If a request for modification occurs within ninety days of the expiration of the license, the supervising agency may choose to conduct all activities consistent with re-licensure. The new license shall be valid for one year from the new date of issuance.

(d) A licensed out-of-home caregiver that relocates within a district or region shall retain the same license number.

(13) Record Confidentiality. Any information made confidential by Section 409.175(16), F.S., shall be exempt from release unless otherwise ordered by the court. This confidentiality also applies to records maintained by community-based care providers pursuant to Section 119.011(2), F.S.

(14) File Retention.

(a) The department or lead agency shall maintain a central file in the district or region for every family foster home licensed. The file shall include, at a minimum, all initial and

subsequent licensing documentation; complaint investigation information; waivers and any other additional documentation obtained regarding the family foster home.

(b) Supervising agencies shall maintain a file on every active licensed family foster home. The file shall include, at a minimum, all initial and subsequent licensing documentation as well as all other licensing related activities including documentation of background screening requirements. These files must be maintained in a secure location and when requested, be made available for monitoring or auditing purposes.

(c) Files of prospective licensed out-of-home caregivers who do not become licensed shall be retained by the supervising agency for a period of five years.

(d) Files of licensed out-of-home caregivers shall be maintained for twenty years after closure.

(e) Files of applicants who are denied licensure shall be maintained for a period of twenty years after the issuance of the denial or final denial order date, whichever is later.

Specific Authority 409.175 FS, Law Implemented 409.175 FS, History-New _____.

65C-13.031 Capacity, Placement, and Over-Capacity Assessments.

(1) Capacity.

(a) A recommendation shall be made by the supervising agency for the licensed capacity in each family foster home based on:

- 1. An evaluation of the skills, experience and support network of the prospective licensed out-of-home caregiver;
- 2. The physical space in the home; and
- 3. The needs of the children served.

(b) The total number of children in the home shall not exceed five children, including the out-of-home caregiver's own children, unless the home is being licensed as a child specific license for a sibling group larger than five. There shall be no more than two infants under twenty-four months in a foster home, including the family's own legal children.

(2) Placement. The total number of children placed in each family foster home shall be based on the recommendation of the supervising agency, using the following criteria:

- (a) The needs of each child in care;
- (b) The ability of the licensed out-of-home caregiver(s) to meet the individual needs of each child, including any adoptive or legal children living in the home;
- (c) The amount of safe space;
- (d) The ratio of active and appropriate adult supervision to the number of children; and
- (e) The background, experience, and skill of the licensed out-of-home caregivers.

(3) Approval of Over-Capacity Assessments for Over Five Children or More than Two Infants.

(a) Assessment approvals for the rule of five or no more than two infants under twenty-four months shall be given prior to placement for the following situations and shall be approved personally and in writing by the District or Regional Administrator or the Chief Executive Officer for the Community Based Care Lead Agency:

- 1. To accommodate a sibling group. This may be a sibling group with some of the children already in the home as well as a sibling group being placed for the first time;
- 2. To accommodate a child or sibling group needing placement who has previously lived in the home;
- 3. To allow a teen parent in substitute care to have his or her child or children placed in the same home.
- 4. If the prohibition of the placement would be contrary to the child's best interest.

(b) If the total number of children in a family foster home will exceed the rule of five or exceed two infants under twenty-four months, including the family's own children, the assessment of each child in the home and of the child being placed in the home shall be completed by the services worker and approved in writing by the services worker's supervisor prior to the placement.

1. The assessment shall include:

- a. The medical, mental, physical and behavioral needs of each child;
- b. A clear, concise explanation of why the exception should be approved including the reason it has been determined that this is the most appropriate available placement;
- c. A description of any special services or support systems which may be necessary to assure the well-being of the child or children being placed;
- d. A description of how this home can physically accommodate the additional child or children. Accommodations shall include a bed, adequate closet space and room for personal possessions and adequate privacy;
- e. Information concerning how the needs of any particularly vulnerable child currently in placement can be adequately protected;
- f. Placement needs and risk factors for children who have been sexually victimized or who are sexually aggressive;
- g. Verification that there are no active complaints, licensing standards in violation, active abuse reports or foster care referrals for the proposed placement;
- j. The duration of the waiver; the initial assessment approval shall not exceed 30 days. Subsequent approvals for the same child or children may be approved for (90) day extensions personally and in writing by the District or Regional Administrator or by the Community Based Care Lead Agency Chief Executive Officer or their designees;

2. General Requirements for the Assessment.

a. The services worker shall provide to the licensing counselor a copy of the completed assessment within five working days of the child's placement.

b. The written and approved assessment shall be placed in the licensing file of the out-of-home caregiver.

c. The licensing counselor shall conduct a home visit with the licensed out-of-home caregiver within seven calendar days of a child's placement to ensure that all appropriate services identified by the services worker are in place to support the out-of-home caregiver.

(4) General Over-Capacity and Age Differential Approvals.

(a) Written approval shall be obtained prior to placement when the licensed capacity and recommended ages of children are exceeded and shall be approved the District or Regional Administrator or his or her designee in upper level management or the Chief Executive Officer for the Community Based Care Lead Agency or his or her designee in upper level management:

(b) An initial approval shall not exceed thirty calendar days except when the approval is used to accommodate a sibling group larger than five or with more than two siblings under 24 months of age.

(c) Subsequent approvals for the same child or children may be approved in writing for a ninety-day extension.

(d) The approval for the home shall automatically expire when the total number of children in the home is at or below the licensed capacity.

(e) An approval may be issued for one hundred eighty calendar days if it is issued to accommodate a sibling group larger than five or more than two infants under 24 months of age. Subsequent approvals may be approved for a one hundred eighty-day extension.

(f) All child placements shall be recorded in the Statewide Automated Child Welfare Information System (SACWIS) by the supervising agency within forty-eight hours of placement. When such a placement causes a home to exceed a total of five children, the approval shall be recorded on the provider licensing screen.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New _____.

65C-13.032 Babysitting, Respite and Other Supervision.

(1) All persons who provide respite care in their own homes shall be licensed pursuant to Section 409.175, F.S.

(2) All persons providing respite care in the family foster home where the child is placed shall be screened pursuant to Rule 65C-13.022, F.A.C. Training in the pre-service program for these respite providers shall be strongly encouraged. If a respite care provider is unable to attend the pre-service training, he or she shall receive an orientation that includes the protocol for handling emergencies, confidentiality, the department's discipline policy and an overview of the

pre-service curriculum addressing discipline and behaviors of foster children. The licensing counselor shall document this orientation.

(3) All respite care providers shall be furnished with written information on the children in their care including:

(a) Telephone numbers for the services worker in case of an emergency;

(b) Medical authorization and instructions on seeking medical care;

(c) Medications, instructions for administering, and the log for recording proper administration of the medications;

(d) Physician's name and telephone number;

(e) School;

(f) Medicaid number; and

(g) Medical, physical or behavioral concerns.

(4) A licensed out-of-home caregiver is entitled to paid respite. Six hours or more shall constitute a paid respite day.

(5) Supervising agency approval shall be obtained prior to the respite period if reimbursement is sought.

(6) Babysitting.

(a) Babysitters shall be at least sixteen years of age or older and shall be screened by securing a Florida Department of Law Enforcement name check, a child abuse and neglect records check through the Statewide Automated Child Welfare Information System, and a local criminal check.

(b) The licensed out-of-home caregiver is responsible for ensuring individuals providing babysitting are suitable and appropriate for the age, developmental level and behaviors of the children.

(c) The licensed out-of-home caregiver is responsible for ensuring babysitters receive an orientation that covers protocol for handling emergencies, including telephone numbers for the licensed out-of-home caregiver, services worker and physician. The discipline policy and confidentiality shall be clearly explained.

(d) A youth aged sixteen or older who is the licensed out-of-home caregiver's legal child, a relative or neighbor, and whom the licensed out-of-home caregiver knows to be of sufficient reliability and maturity may baby-sit foster children. The length of time depends on the maturity and needs of the foster child(ren) and the maturity of the babysitter.

(e) Babysitting by sixteen to eighteen year olds will not include more than three children.

(f) A procedure shall be established for a time limit in which the licensed out-of-home caregiver will contact the babysitter periodically during his or her absence. Babysitting is limited to less than twenty-four hours in duration.

(g) Foster children shall not be permitted to provide supervision to children in the home.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New _____.

65C-13.033 Complaint Investigations and Foster Care Referrals.

(1) The department maintains responsibility for ensuring the investigation of all complaints and foster care referrals alleging licensing violations.

(2) The department, lead agency and supervising agency have the right to inspect the entire premises of the licensed out-of-home caregiver at any reasonable time.

(3) Upon receiving a regulatory complaint investigation, licensing staff from the department shall inform the lead agency and supervising agency within one day of receipt of the complaint and may review the licensing file to ensure that all relevant information has been gathered and is considered. The supervising agency staff responsible for conducting the investigation will review the file and may consult with the department's licensing staff for technical assistance if needed.

(4) The department licensing staff shall work in cooperation with the lead agency and supervising agency to ensure a thorough investigation is conducted. All contacts shall be thoroughly documented. Complaint investigations and foster care referrals shall be initiated within twenty-four hours of receipt by the supervising agency's licensing unit unless otherwise authorized by the department licensing authority. Foster care referrals will be received and assigned according to Rule 65C-29.006, F.A.C. The supervising agency licensing staff member assigned to the referral will interview the child or children listed as subjects of the referral and visit the family foster home or emergency shelter home within twenty four hours of receipt of the referral by the licensing unit unless a staffing is held with the licensing unit supervisor and a determination is made and documented in the licensing file, that a home visit is not necessary. If a home visit is not made, the licensing staff responsible for the referral will contact the licensed out-of-home caregiver to discuss the referral within twenty four hours of receipt of the referral. The licensing staff member responsible for the referral will complete the assessment of the referral within five working days of receipt of the referral by the licensing unit. The results of the assessment and any necessary corrective action plan will be documented in the licensing file and a copy forwarded to the licensing authority within seven working days of receipt of the referral by the licensing unit of the supervising agency.

(5) Complaints against a licensed out-of-home caregiver meeting the criteria for acceptance of a report of abuse or neglect shall be investigated jointly with the Child Protective Investigator whenever possible. The focus of the licensing counselor's investigation or assessment is limited to violations of licensing standards pursuant to Section 409.175, F.S. and Chapter 65C-13, F.A.C.

(6) Within seven working days of commencing a complaint investigation, the supervising agency's licensing staff shall forward the results of the complaint and any necessary corrective action plan to the licensing authority.

(7) Corrective action plans shall be developed and monitored in conjunction with the supervising agency. Corrective action plans shall be in writing and identify specific dates by which corrective measures shall be completed. The written corrective action plan shall also state that failure to comply with the corrective measures within the time frames identified may result in administrative action including suspension, revocation or denial of the license.

(8) The supervising agency's licensing staff shall thoroughly document the complaint investigation or foster care referral assessment information in the licensing file. The supervising agency shall give written notification to the licensed out-of-home caregivers and the department of the outcome of the investigation as it relates to the licensing violations, and, if appropriate a corrective action plan.

(9) All complaint investigations or foster care referrals shall be completed within five working days of the receipt of the complaint unless otherwise authorized by the licensing authority.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History-New _____.

65C-13.034 Administrative Actions, Appeals and Closures.

(1) General Information. All licensing action negatively impacting an out-of-home caregiver, including a denial, suspension or revocation, is subject to the procedures set forth in Section 120.60, F.S. The department is the licensing authority for all family foster homes and has final authority for approval, denial or suspension of any license.

(2) Denial of Initial Licensure.

(a) The department shall have ninety days following receipt of a complete application packet to grant or deny the application in accordance with Section 120.60, F.S.

(b) If the supervising agency determines that the applicant should not be licensed, the applicant shall be notified in writing within ten working days of the determination, identifying the reasons for the denial, the statutory authority for the denial and the applicant's right of appeal pursuant to Chapter 120, F.S. The applicant shall be afforded the opportunity to withdraw the application. If the applicant elects to withdraw the application, this must be documented in writing in the licensing file.

(c) If the applicant does not withdraw the application, the supervising agency shall provide to the department sufficient information to support the recommendation of the denial. When the department determines that the license should be denied, it shall notify the applicant in writing within ten working days of the decision, identifying the reasons for the denial, the statutory authority for the denial and the applicant's right of appeal pursuant to Chapter 120, F.S.

(3) Administrative Action for Existing Foster Homes.

(a) If licensing violations are found such that the child's physical, mental, or emotional health is significantly impaired or is in danger of being significantly impaired, the licensing counselor shall consult with his or her supervisor and the child's services worker for an immediate review of the safety of any children placed in the home.

(b) Foster Care Referrals regarding concerns about the care provided in a licensed foster home, group home or emergency shelter which do not meet the criteria for acceptance of a report of abuse, neglect or abandonment, such as the use of corporal punishment not resulting in marks, bruises or injury shall be documented in the statewide automated child welfare information system and transmitted to the county where the child is currently located for assessment by the supervising agency's licensing staff. Foster Care Referrals or Special Conditions reports involving Child on Child Sexual Abuse allegations must be handled according to Rule 65C-29.007, F.A.C. If it is determined that child on child sexual abuse has occurred or if the report is closed with "some indicators", meaning that there is credible evidence, which does not meet the evidentiary, to support that the specific injury, harm or threatened harm was the result of abuse or neglect, of child on child sexual abuse the following must occur:

1. The services worker, supervising agency licensing staff and the licensed out-of-home caregiver must cooperatively develop a plan on how to manage the sexually aggressive child that is preventative in nature, but includes the child in family living;

2. The services worker must ensure that a child who sexually abuses or victimizes other children is the youngest child placed in the home, giving consideration also to other children's vulnerabilities such as mental and physical handicaps, etc., and document assessment and actions taken in the child's case file and the licensing file; and

3. The supervising agency staff in consultation with the department's licensing staff, the child's services worker and others involved in the child's case plan shall determine if the sexually aggressive child will remain in the home and under what conditions, or if another placement is necessary and document the decision-making process in the children's case files and the licensing file.

(c) If licensing violations are found which do not pose an immediate threat to the health, safety or welfare of the children, the supervising agency shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the department.

(d) Written notification shall be sent to the licensed out-of-home caregiver that specifies the deficiency, expected corrective action, time frame for completion, and that failure to comply within the time frame specified shall result in the

license being suspended, denied, or revoked. The approved corrective action plan shall be put in writing and hand delivered or sent by certified mail, return receipt requested, to the licensed out-of-home caregiver. The signed return receipt shall be placed in the licensing file.

(e) Corrective action plans shall be prepared for a licensed out-of-home caregiver who appears to have the ability to understand and correct the infraction. Corrective action plans do not apply to a caregiver who has developed a pattern of deficiencies that has not been rectified by prior attempts at corrective action. In these cases, the supervising agency shall work with the licensing authority, the department's legal counsel and lead agency to determine whether action should be taken to suspend, deny or revoke the license.

(f) Failure of the licensed out-of-home caregiver to timely comply with the corrective action plan may result in suspension, denial of re-licensure, or revocation of the license.

(g) The licensed out-of-home caregiver shall be given notice if the supervising agency determines that it cannot recommend re-licensure.

(h) If the licensed out-of-home caregiver disagrees with the supervising agency's recommendation, he or she may still request renewal of the license. The supervising agency shall accept the application and refer the licensed out-of-home caregiver's file to the department with a recommendation for denial.

(i) A decision to revoke, suspend, or deny further licensure is made after a review is done in conjunction with the department's legal counsel, supervising and lead agencies. Written notification by certified mail shall be provided to the licensee. The notice shall include the statutory and rule violations that were found shall advise of the action to be taken, and the right to challenge the action through an administrative proceeding as provided in Chapter 120, F.S.

(4) Documentation Requirements Prior to Administrative Action.

(a) Before making a determination that a license shall be denied, suspended or revoked, the following shall be documented in the licensing file:

1. All qualifying abuse reports and all reports of licensing violations and the outcome of the investigation(s);

2. List of all deficiencies or conditions, other than abuse or neglect of the children, which compromise the safety or well-being of the children;

3. The length of time and frequency of the noncompliance with the licensing requirements or deficiencies in caring for children;

4. The date of written notification to the licensee as to the deficiency and time given to the licensee to correct the deficiency;

5. The licensing staff's efforts to help the licensee to come into compliance;

6. Barriers, if any, which prohibit the licensee from correcting the deficiencies:

7. All license revocations and denials shall comply with requirements of Chapter 120, F.S.; and

8. All documentation shall be reviewed with the department's legal counsel. The notice of revocation or denial shall not be sent to the out-of-home caregiver without approval of both the department's legal counsel and the licensing authority.

(5) Voluntary Closures.

(a) The supervising agency shall conduct an exit interview with licensed out-of-home caregivers who are closing. This interview is an opportunity to explore any recommendations for improvement that the out-of-home caregiver may be willing to share.

(b) The supervising agency shall document the reason for closure and whether re-licensing would be recommended.

(c) If re-licensing would not be recommended, the licensing file shall clearly document the reasons re-licensing is not appropriate.

(d) If the closure is voluntary and in lieu of revocation or denial of a license, the supervising agency shall document the reason for the denial.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History-New _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-15.001	Definitions
65C-15.002	Licensed Child-Placing Agencies
65C-15.003	Application and Licensing Study
65C-15.0035	License Renewal
65C-15.004	On-Site Visits and Complaint Investigation
65C-15.005	Disclosure
65C-15.010	Finances
65C-15.011	Changes in Agency Function or Purpose
65C-15.012	Notification of Critical Injury, Illness or Death
65C-15.013	Right to Privacy
65C-15.014	Office Equipment and Transportation
65C-15.015	Personnel Policies and Practices
65C-15.016	Staff Functions and Qualifications
65C-15.017	Personnel
65C-15.018	Staff Development
65C-15.019	Volunteers

65C-15.020	Non-Contracted Agency Intake Procedures and Practices for Children in Licensed Out-of-Home Care
65C-15.021	Services to Families and Children in Licensed Out-of-Home Care
65C-15.027	The Agency's Responsibilities to Licensed Out-of-Home Caregivers
65C-15.029	Services to Adoptive Parents and Children Available for Adoption
65C-15.031	Child Case Record Keeping for Non-Contracted Agencies
65C-15.032	Family Case Record Keeping for Non-Contracted Agencies
65C-15.033	Family Foster Home Record Keeping for Non-Contracted Agencies
65C-15.034	Adoptive Home Record Keeping for Non-Contracted Agencies
65C-15.036	Intercountry Adoption Services
65C-15.037	Private Interstate Adoptions
65C-15.038	Specific Rules for Lead Agencies and Contracted Providers

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 48, December 1, 2006 issue of the Florida Administrative Weekly.

65C-15.001 Definitions.

All definitions for the Licensed Child-Placing Agencies Chapter 65C-15, F.A.C., are located in Rule 65C-30.001, F.A.C.

Specific Authority 63.202, 409.175 FS. Law Implemented 63.202, 409.175 FS.. History-New 12-19-90, Amended 10-27-93, 9-14-94, Formerly 10M-24.003, Amended _____.

65C-15.002 Licensed Child-Placing Agencies.

(1) Any persons, corporation, or agency, public or private, other than the parent or legal guardian of the child or an intermediary acting pursuant to Section 63.032, F.S., who wishes to provide placement services or arrange for the placement of a child in a family foster home, residential child caring agency, or approved adoptive home, must be licensed by the department. This subsection does not apply to stepparent adoptions or placements with relatives within the third degree of relationship.

(2) No county, city or political subdivision shall operate a child-placing agency, or engage in any adoption process unless licensed by the department as a child-placing agency.

(3) The department or a licensed child-placing agency may place a 16- or 17-year-old child in his or her own unlicensed residence, or the unlicensed residence of an adult who has no supervisory responsibility over the child for the purpose of independent living. However, the department or licensed

agency must retain supervisory responsibility. The agency shall apply the criteria listed in Section 39.6241, F.S., to determine if another planned permanent living arrangement is appropriate. The department or licensed agency shall determine eligibility and provide services for children age 13 and over according to Section 409.1451, F.S.

(4) Agencies shall keep, at all times, a sufficient number of licensed foster homes, other than the prospective adoptive homes, which shall be used when the agency has received custody of a child and the child has not been placed in an adoptive placement.

(5) Child-placing agencies shall comply with provisions of Chapter 63 and Section 409.175, F.S.

(6) The department agrees to provide licensed child-placing agencies with changes to state policy rules and laws which affect their operation as set forth in these rules within 30 days of implementation.

(7) The agency shall have a written statement of its child-placing philosophy, the purpose of the agency, a description of the licensed out-of-home care and adoption services the agency provides and the methods of service delivery it employs, including the methods that shall be used to publicize the availability of these services.

Specific Authority 63.202, 409.175 FS. Law Implemented 63, 409.175, 409.165 FS. History—New 12-19-90, Amended 10-27-93, Formerly 10M-24.004, Amended _____.

65C-15.003 Application and Licensing Study.

(1) Application for a child placing agency license shall be made on an Application for a License form, CF-FSP 5135 October 96, available from any Department of Children and Families district, zone, or regional office or at www.dcf.state.fl.us/publications/. The application shall be signed by the prospective owner or operator who will be exercising authority over the operation, policies and practices of the agency. All information requested in the application form and this rule must be submitted as part of the application packet, which shall include but not be limited to the following:

(a) A description of the services the agency will provide;

(b) Proposed geographical area to be served;

1. For lead agencies and sub-contracted agencies, the area specified in the agency's contract with the department;

2. For non-contracted agencies, the area as defined by cities, counties or zip codes.

(c) Projected fees and costs for services, how fees are collected and refunds given, if applicable, including any and all contracts and subcontracts;

(d) Name of Agency and location of office; including city, state, street address, mailing address, telephone number, e-mail address, fax number, hours of operation and emergency contact numbers;

(e) Separate application for each proposed satellite or branch office;

(f) The names and addresses of all officers and owners. Each agency shall have an office and professional staff permanently housed within the state; and

(g) An initial budget reflecting available capital for six months of operation.

1. For contracted agencies, this budget is based on contract negotiations with the department.

2. For non-contracted agencies, this budget must reflect the availability of liquid assets to support the initial six months of operation.

(2) The department shall have ten days from receipt of an completed application packet to determine whether the application packet is complete and request any missing information, and 30 days from receipt of a complete packet to grant or deny the application. The decision to issue, deny or revoke an application for licensure rests with the District or Regional Administrator or designee in upper level management.

(3) If an agency was previously licensed in another state or outside the district or region in which it is seeking licensure, the department shall make a written request to the other state, district, or region requesting verification that the agency is in good standing and has met that jurisdiction's licensing requirements.

(4) Upon determination that the applicant meets the state licensing requirements, the department shall issue a license to a specific agency, at a specific location. If the department determines that the agency should not be licensed, it shall notify the applicant in writing, within ten working days of the determination, identifying the reasons for denial and the statutory authority and the applicant's right of appeal, pursuant to Chapter 120, F.S.

(5) When a child-placing agency ceases to provide adoption services to children or families during the period for which the license is issued, they shall notify the department, in writing, 30 days prior to the cessation of the agency service and shall return the license to the department.

(6) A licensed agency may operate a branch or satellite offices without separate licenses for those offices. However, each branch or satellite office must be disclosed in the Application for a License by submitting a copy of CF-FSP Form 5135, PDF 10/96, available at www.dcf.state.fl.us/publications/, for each office. If the agency opens a branch or satellite office during the licensed term, the agency shall file an Application for a License, not less than 10 days prior to the opening of the new office.

(7) The license shall be issued for a child-placing agency at a specific address and for operation by specific individuals or agencies. It shall automatically become invalid if the facility is operated at another address or under different ownership. Agencies planning to relocate shall notify the department licensing authority 30 days in advance of the anticipated move and shall submit to the department a new application, CF-FSP

Form 5135, PDF 10/96, specifying the new address and any changes to agency operation as outlined in subsection 65C-15.003(1), F.A.C. The license shall be valid for one year from the date of issuance unless suspended, revoked, or voluntarily returned. All licenses shall expire automatically one year from the date of issuance. The license shall be the property of the department and shall be returned to the department if revoked.

(8) The license must be conspicuously displayed at all times in the facility. Each branch or satellite office shall have a copy of the main office license conspicuously displayed and a statement showing it is a branch or satellite office.

(9) Satellite and branch offices of licensed child-placing agencies shall be required to be separately licensed if:

(a) The daily supervision of the case work staff is provided on site; and

(b) The office maintains central client records and central personnel files on premises.

(10) The department shall authorize a licensed child-placing agency to conduct the licensing study of a family foster home to be used exclusively by that agency and to verify to the department that the home meets the licensing requirements established by the department. Upon certification by an authorized licensed child-placing agency that a family foster home meets the licensing requirements, the department shall issue the license.

(11) The department shall withhold authorization for self-study of foster homes from an agency or shall withdraw authorization if the quality of studies being completed or the completeness of the agency's files do not show that the agency's foster parents meet the licensing requirements established by the department. The decision of the department regarding withdrawal may be contested in the hearing procedure set forth in Chapter 120, F.S.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 12-19-90, Amended 10-27-93, Formerly 10M-24.005, Amended _____.

65C-15.0035 License Renewal.

(1) Requests for renewal should be received by the department, no later than 45 days prior to the expiration date on the existing license.

(2) Licenses shall be considered for annual renewal if the following supporting documentation is submitted to the zone, district, or region Department of Children and Families licensing office:

(a) An application, CF-FSP Form 5135, PDF 10/96, with written request for renewal;

(b) The agency's revised annual budget;

(c) A written assurance of compliance with the screening requirements in subsections 65C-15.016(2)-(5), F.A.C.

(3) Failure to file the renewal application within the required timeframe may result in the initiation of injunctive proceedings against the agency according to Section 409.175(10), F.S.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New _____.

65C-15.004 On-Site Visits and Complaint Investigation.

(1) Department staff may make scheduled or unannounced visits to a licensed home, facility or agency at any reasonable time to investigate and evaluate compliance with the licensing requirements. All agencies shall be inspected at least annually.

(2) The department shall investigate complaints to determine if the agency is meeting the licensure requirements in accordance with Section 409.175(8)(b), F.S.

(3) The department shall advise the owner and operator with authority over the licensed agency that there is a licensing complaint when initiating an investigation and shall advise the agency of the results of the investigation when concluded.

(4) Whenever the department receives a report questioning the certification status or compliance of a child-placing agency with requirements of the state adoption law or alleging violations of this chapter by the agency, the department shall investigate the allegation and issue a written report with its findings within 20 working days to determine whether the complaint is substantiated.

(5) If violations are found that pose an imminent threat to the safety or well-being of children being served, the agency shall work in cooperation with the department in developing a corrective action plan, acceptable to both parties, to immediately ameliorate the threat posed.

(6) If violations are found that do not pose an imminent threat to the safety or well-being of children being served, the agency shall work in cooperation with the department to develop a corrective action plan listing time frames for completion of the required changes to be made.

(7) The department shall notify the complainant and the agency in writing of the results of the complaint investigation within 5 working days after the report of the department's investigation has been finalized.

(8) The agency shall fully cooperate with the department whenever such complaint investigations are conducted.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 12-19-90, Amended 10-27-93, Formerly 10M-24.009, Amended _____.

65C-15.005 Disclosure.

The agency shall notify the local licensing office of the department in writing within seven days if:

(1) Any civil or criminal action is commenced in any jurisdiction against any director, officer, employee or agent of the agency, where the civil or criminal action relates to or affects the licensed child-placing activity of the agency; or

(2) Any action is commenced in any jurisdiction to revoke or suspend a license held by the agency; or

(3) Any employee in a position of trust or responsibility is convicted of any disqualifying offense outlined in Section 435.04, F.S.; or

(4) Any employee is found to be in non-compliance with the Affidavit of Good Moral Character: CF Form 1649, PDF January 2007, available at www.dcf.state.fl.us/publications/.

Specific Authority 409.175, 435.04 FS. Law Implemented 63, 409.175 FS. History--New 12-19-90, Formerly 10M-24.014, Amended _____

65C-15.010 Finances.

(1) Funding: Agencies beginning operation shall have the capital necessary for a six-month period of operation. For those agencies contracting with the department, the necessary capital will be based on contract negotiations with the department.

(2) Budget: The agency shall prepare a written budget annually.

(3) Audit: The agency shall have its financial records audited annually by an independent auditor. A report of this audit shall be available to the department at the licensed location during normal business hours, no later than 180 days from the end of the agency's fiscal year.

(a) If the agency is not for profit, and expends \$500,000 or more in Federal award during its fiscal year, the audit shall be conducted in accordance with the provisions of OMB Circular A-133 and pursuant to Section 215.97(2), F.S.

(b) If the agency is a non-state entity defined by Section 215.97(2), F.S., and expends \$500,000 or more in state financial assistance during its fiscal year, the audit must be conducted in accordance with Section 215.97, F.S.

(4) Allocations: The agency shall develop a cost allocation plan in accordance with 45 CFR Part 74.27 and OMB Circular A-122 and submit it to the department's contract oversight unit for approval by the end of each state fiscal year.

(5) Fees and Costs.

(a) If fees for adoption and licensed out-of-home care services are charged, the agency shall have a fee schedule disclosing all fees for services in a written policy which describes the conditions under which fees are charged, waived, or refunds made, if applicable. A copy of the fee schedule shall be filed with the department at the time of application. Agency adoption fees must be waived for families adopting children who are in the custody of the department for whom subsidies will be paid. This schedule shall clearly list the specific services covered by this fee. This fee schedule shall be given to all persons making application for adoption services. A fee agreement and any modifications to it shall be executed with each applicant, which lists the fees charged and the services to be provided, including provisions for payment, the waiver of

fees and refunds if applicable. Any reduction or increase in the agency's fee schedule shall be filed with the department 15 days after going into effect.

(b) Adoption fees for non-contracted agencies shall be established based on the reasonable costs of the following services for the total adoption program:

1. Medical services for the child and the birth mother;

2. Legal services;

3. Counseling services;

4. Homestudy services;

5. Living expense for the birth mother;

6. Licensed out-of-home services;

7. Pre and post placement social services;

8. Contracted services, if applicable;

9. Other necessary services; and

10. Agency facilities and administrative costs.

(6) Where payments are made to licensed out-of-home caregivers:

(a) The agency shall have a written payment schedule and statement on payment procedures; and

(b) The agency shall provide licensed out-of-home caregivers with advance written notification of changes in the schedule.

(7) The agency shall not require or coerce applicants, adoptive parents or their representatives to provide gratuities such as money or other things of value or services beyond the established fee.

Specific Authority 63.097, 215.97, 409.175 F.S. Law Implemented Sections 63.097, 409.175 FS. History--New 12-19-90, Formerly 10M-24.019, Amended _____

65C-15.011 Changes in Agency Function or Purpose.

(1) The agency shall provide written notification to the department within 30 days after implementation of changes in the agency's director, statement of purpose, services to be provided, clientele to be served, intake procedures or admission criteria.

(2) If the changes in the agency's policies and procedures represents a major departure from the original policies submitted in writing to the department for the agency's operation, the agency shall submit to the department their new operating policies and procedures 10 days prior to implementation.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 12-19-90, Formerly 10M-24.020, Amended _____

65C-15.012 Notification of Critical Injury, Illness or Death.

In the event of the critical injury, critical illness or death of a child, the agency providing only adoption services shall notify the department within 24 hours. The child's parents or legal guardian shall be notified within 24 hours unless parental

rights have been terminated. A lead agency and its contracted agencies shall comply with the department's procedures on Incident Reporting and Client Risk Prevention, including filing of Statewide Critical Incident Report form, CF-FSP 5262, October 2004, at www.dcf.state.fl.us/publications/.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 12-19-90, Formerly 10M-24.021, Amended _____.

65C-15.013 Right to Privacy.

The privacy of the child and his or her natural and prospective parents shall be protected. The agency shall ensure that any public appearances by the children in care, involving publicity or fund raising are voluntary and the written consent of the child's legal parent or legal guardian is on file.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 12-19-90, Formerly 10M-24.023, Amended _____.

65C-15.014 Office Equipment and Transportation.

(1) The agency shall maintain furnishings and equipment in good working condition for the operation of the office.

(2) The agency shall assist clients in arranging transportation necessary for implementing the child's case plan. Vehicles used by staff to transport children shall be maintained and operated in safe condition, and in conformity with appropriate motor vehicle laws.

(3) The number of persons in a vehicle used to transport children shall not exceed the number of available seats; children shall be restrained by a safety belt or by a child restraint device when being transported in motor vehicles in accordance with Sections 316.613 and 316.2004, F.S.

(4) The agency shall make its services accessible to the population it has designated it will serve. The agency shall comply with Sections 553.501 through 553.513 F.S., for accessibility of their service to handicapped persons.

Specific Authority 409.175 FS. Law Implemented 316.613, 316.2004, 409.175, 553.501, 553.513 F.S. History–New 12-19-90, Amended 10-27-93, Formerly 10M-24.024, Amended _____.

65C-15.015 Personnel Policies and Practices.

(1) The agency shall have written personnel policies and procedures for recruitment, retention, and effective performance of qualified personnel.

(2) These policies shall include:

(a) Job descriptions and titles for each position defining the qualifications, duties and lines of authority;

(b) Salary scales;

(c) A description of employee benefits;

(d) Provisions which will encourage professional growth through supervision, orientation, in-service training, and staff development;

(e) Procedures for annual evaluation of the work and performance of each staff member;

(f) Procedures governing payment of bonuses or other extraordinary compensation to employees or contract providers of the agency;

(g) Conditions and procedures for layoffs or the reduction of staff;

(h) The agency's disciplinary policy, grievance and appeal procedures;

(i) Insurance protections including unemployment, disability, medical care; and

(j) Procedures for use of the agency's premises, motor vehicles, and/or other equipment as appropriate.

(3) The agency shall have procedures for handling any suspected incidents of child abuse or neglect which include:

(a) The agency shall require each staff member to read and sign a statement reflecting the requirements of Section 39.201, F.S., within thirty days of hire date;

(b) All suspected cases of child abuse and neglect shall immediately be reported to the department's Florida Abuse Hotline in accordance with Chapter 39, F.S.;

(c) A provision shall be made for reporting and recording any suspected incident of abuse or neglect of children to the director of the agency; and

(d) There shall be provisions for immediate protection of the victim and prevention of a recurrence of the alleged incident pending investigation.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 12-19-90, Amended 10-27-93, Formerly 10M-24.025, Amended _____.

65C-15.016 Staff Functions and Qualifications.

The agency shall have a personnel file for each employee, available for review by the Department which shall include, but is not limited to the following:

(1) The application for employment;

(2) Verification that the initial screening requirements of Sections 409.175 and 435.05, F.S., have been completed and met;

(3) Verification of criminal records checks; conducted according to Section 435.04, F.S.

(4) Verification of annual criminal records checks; conducted every twelve months from initial hire date through a local law enforcement agency.

(5) Verification of re-screenings through the Florida Department of Law Enforcement every five years following initial hire date for all staff;

(6) Job descriptions;

(7) Reference verification, minimum of three personal or professional;

(8) Signed Affidavit of Good Moral Character, CF-FSP, 1649, January 2007 available at www.dcf.state.fl.us/publications/;

(9) Attestation of child abuse reporting responsibilities;

(10) Employee's starting and termination dates and reason for termination;

(11) Annual performance evaluations and any disciplinary actions taken;

(12) Copy of diploma or degree;

(13) Training record; and

(14) Verification of abuse and neglect check through the department's Statewide Automated Child Welfare Information System (SACWIS) verifying that the employee or volunteer who has direct contact with clients or who works on the premises where child care is provided, has no record as a caregiver responsible for abuse or neglect. If an employee or potential employee is listed in any capacity in three or more institutional reports during any five year period, the department must consider the information in the reports and determine its relevancy related to the person's employment with the agency and whether the person's employment or continued employment would jeopardize the health and safety of clients served. If the determination is made that the employee or potential employee constitutes a threat to the health or welfare of clients served, the department may take action to restrict the employee's access to clients up to and including the denial, revocation or suspension of the agency's license. Any action taken shall be the least restrictive means necessary to protect the health and safety of clients served.

Specific Authority 63.202, 409.175 FS. Law Implemented 63.202, 409.175 FS. History--New 12-19-90, Formerly 10M-24.026, Amended _____.

65C-15.017 Personnel.

(1) The agency director shall be responsible for the general management and administration of the agency in accordance with Chapter 63 and Section 409.175, F.S., and this rule. The director shall have a master's degree in social work or a related area of study from an accredited college or university and at least two years experience in human services or child welfare programs. A bachelor's degree in social work or a related area of study from an accredited college or university and four years of experience in human services or child welfare programs may be substituted. A doctorate degree in social work or a related area of study may be substituted for one year of the required experience. Agency directors continuously employed since December 4, 1997 will be considered to have met these educational requirements.

(2) Agency staff responsible for supervision of staff performing child protection/child welfare services as defined in subsection 65C-30.001(21), F.A.C., shall have a bachelor's degree from an accredited college or university and at least two years of experience in human services or child welfare programs.

(3) Agency staff responsible for performing child protection/child welfare services, training or licensing functions shall have a bachelor's or a master's degree from an accredited college or university.

(4) Staff members may be exempted from the above educational requirements if they met the educational requirements of Chapter 65C-15, F.A.C., at the time of employment and their initial date of employment predates the effective date of this rule.

(5) No person who has served as a board member, executive director or other officer of an agency that has failed to secure a license to operate as a child-placing agency shall be employed by or associated with a licensed child-placing agency for a period of two years after termination or cessation of that illegal operation. No person, executive director, or other officer of an agency which continued in operation after having knowledge of the revocation or suspension of the agency's license shall be employed by or associated with a licensed agency for a period of two years from cessation of the illegal operation. The department will waive this provision if it is shown that the person had no knowledge or had no reason to know the operation was illegal. Such a waiver must take place before the employee is hired or a request for a waiver shall be submitted to the department within 30 days after it is discovered that an ineligible person has been employed.

Specific Authority 63.202, 409.175 FS. Law Implemented 63.202, 409.175 FS. History--New 12-19-90, Amended 10-27-93, Formerly 10M-24.027, Amended _____.

65C-15.018 Staff Development.

(1) The agency shall have a written plan for the orientation, ongoing training and development of all staff.

(2) The agency shall ensure and document that the child protection/child welfare supervisory, training and licensing staff receive at least 15 hours of in-service training during each full year of employment.

Specific Authority 63.202, 409.175 FS. Law Implemented 63.202, 409.175 FS. History--New 12-19-90, Formerly 10M-24.028, Amended _____.

65C-15.019 Volunteers.

(1) Volunteers who work directly with children without direct and constant supervision must be screened in the same manner as the employees of the agency. A volunteer need not be screened as long as they are under direct and constant supervision by persons who have been screened in accordance with Sections 409.175 and 435.04, F.S.

(2) An agency which utilizes volunteers to work directly with children or their families shall:

(a) Develop a description of duties and specific responsibilities;

(b) Develop a plan for the orientation and training in the philosophy of the agency, the needs of the children in care and the needs of their families, the importance of preserving and protecting the rights of children in care, their responsibility to report child abuse and neglect and the importance of confidentiality; and

(c) Provide a protocol describing how volunteers will participate in carrying out the case plans for children and families with whom they are working.

(3) Volunteers who assume responsibilities of paid staff members must meet the educational and experiential requirements of the position for which they are volunteering.

(4) Agencies utilizing volunteers to provide direct services to clients shall keep adequate records to reflect the hours and activities of the volunteers.

(5) An agency which accepts students for field placement shall:

(a) Develop a written plan describing the students' tasks and functions. Copies of the plan shall be provided to each student and to his or her school;

(b) Designate a professional staff member to supervise and evaluate the students;

(c) Develop a plan for orientation and training in the philosophy of the agency, the needs of the clients served by the agency, the importance of confidentiality, and the preservation and protection of the rights of children including the reporting of any alleged child abuse;

(d) Provide for participation in developing and carrying out the case plans for the children and families they are working with;

(e) Assure that students are not expected to assume the total responsibilities of any paid staff member; and

(f) Students who work directly with children without direct and constant supervision must be screened in the same manner as the employees of the agency. A student need not be screened as long as they are under direct and constant supervision by persons who have been screened in accordance with Sections 409.175 and 435.04, F.S.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 12-19-90, Formerly 10M-24.029, Amended _____.

65C-15.020 Non-Contracted Agency Intake Procedures and Practices for Children in Licensed Out-of-Home Care.

(1) At the time the agency receives a referral or application for licensed out-of-home care the agency shall assess the needs and strengths of the child's family and document these in the case record.

(2) A written intake study shall include, but not be limited to the following:

(a) The identification of the specific needs of the child and family which warrant consideration of removal and placement of the child;

(b) The family's strengths;

(c) If appropriate, the degree of involvement of the child's parents and significant others in the child's care;

(d) The available resources;

(e) The stated goals for the family;

(f) The available social and medical history of the child and his family members, including prior residences, marital history, employment history, history of familial abuse, neglect or domestic violence, parenting experiences, history of hospitalizations, prescribed medications taken, congenital conditions or communicable or debilitating diseases;

(g) The child's legal status;

(h) A description of the child's emotional reaction to and understanding of the need for placement; and

(i) Names, addresses, and phone numbers of the parents, siblings, relatives or others affected by the plan.

(3) In court ordered placements, where a child is not voluntarily placed by the parents or legal guardian, the agency shall comply with the requirements set forth in Chapter 39, F.S.

(4) In cases where the placement is voluntarily made by the parents or legal guardian, if one has been appointed, the agency shall secure written authority for placement as detailed in subsection 65C-28.007(4), F.A.C., prior to accepting a child into care. The agency shall also comply with Chapter 39, F.S. as it relates to voluntary placements.

(5) Except in emergency circumstances, the agency shall obtain a written consent from the parents or legal guardian, if one has been appointed, or the court, to provide routine medical care for a child accepted into care. If medical consent cannot be obtained at the time of placement, it must be obtained within 72 hours of the child's entry into care.

(6) Consent for medical treatment for children whose parental rights have not been terminated shall be obtained pursuant to subsection 65C-28.003(7), F.A.C

Specific Authority 39.0121, 63.202, 409.175 FS. Law Implemented 39, 63, 409.175 FS. History–New 12-19-90, Formerly 10M-24.031, Amended _____.

65C-15.021 Services to Families and Children in Licensed Out-of-Home Care.

(1) This section does not apply to parents whose rights have been terminated by the courts or to parents who have signed voluntary surrenders for purposes of adoption.

(2) In accordance with Chapter 39, F.S., and Chapters 65C-13, 65C-28 and 65C-30, F.A.C., and pursuant to Sections 409.1671 and 409.175, F.S., a child-placing agency shall place a child entrusted in its care in a fully licensed placement or adoptive home; supervise the care of the child; and coordinate the planning and services to the child and his or her family.

(3) Should the parents or child require services not offered by the agency, a referral shall be made by the agency to the appropriate available community service. Arrangements shall be made by the referring agency to maintain communication

with the second service provider and the progress made as a result of the alternate services shall be documented in the case file.

(4) When two agencies share responsibility for service to a child or a family, there shall be a clear delineation of responsibility for each service to be provided and both agencies must assure that service gaps do not occur as a result of shared planning. Case plans in shared cases must be in writing and must be approved by both services providers and documented in the individual case files.

(5) An agency licensed for the purpose of adoption shall be required to have an at-risk placement document signed by the prospective adoptive parent or parents prior to placement of a child in their home, in the event the agency does not have a court order documenting termination of parental rights of the child being placed for adoption.

(a) The at-risk placement document shall contain a statement that the agency does not have commitment of the child for the purpose of adoption and the reasons why it does not have commitment. The at-risk placement document shall state that proceedings have been started to obtain commitment; that the agency shall notify the adoptive family, in writing, of the court's decision regarding commitment and that the child may be removed from the home if commitment is not forthcoming. The adoptive parents shall agree to return the child to the agency.

(b) An agency providing at-risk placement of a child shall provide monthly reimbursement for the care of the child, plus medical and clothing allowances, if needed, until the legal finalization of the adoption. The agency shall provide supportive counseling to the adoptive family before, during and after placement of the child, and shall make diligent efforts to remove legal and other barriers preventing the adoption from occurring.

Specific Authority 39.0121, 63.202, 409.175 FS. Law Implemented 39, 63, 409.175 FS. History—New 12-19-90, Formerly 10M-24.032, Amended _____.

65C-15.027 The Agency's Responsibilities to Licensed Out-of-Home Caregivers.

(1) The agency shall provide or identify training opportunities for licensed out-of-home caregivers to increase their skills and ability to parent children who are not their own. Each prospective licensed out-of-home caregiver shall receive the pre-service training required by Section 409.175(14)(b), F.S. The agency shall ensure that licensed out-of-home caregivers receive not less than 8 hours of training per year. Training opportunities should include, training on agency policy, rules and laws, training which provides licensed out-of-home caregivers with an understanding of licensed out-of-home care, training which provides licensed out-of-home caregivers with an understanding of the needs of

children and their families, training on the responsibilities of the licensed out-of-home caregivers to the agency and the child.

(2) The agency shall have a signed agreement with all foster parents which includes the following:

(a) Expectations and responsibilities of the agency staff and the licensed out-of-home caregivers;

(b) The fiscal and medical arrangements for the children placed in the home;

(c) The authority which licensed out-of-home caregivers can exercise for the children placed in their home, including decision-making related to providing children in their care with opportunities to participate in age appropriate activities as detailed in the child's case plan pursuant to Section 409.1451(3)(a)3., F.S.

(d) The actions which require agency staff authorization; and

(e) A statement of the agency's discipline policy.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 12-19-90, Amended 10-27-93, Formerly 10M-24.040, Amended _____.

65C-15.029 Services to Adoptive Parents and Children Available for Adoption.

(1) The child's services worker shall discuss the potential adoptive child with the prospective adoptive family and shall prepare them for the placement of that a particular child. The preparation shall include, but not be limited to:

(a) Presentation of written information about the child's personal characteristics, a copy of the child's complete medical history and files, if available, documentation of academic potential and school performance including copies of school report cards, if applicable, and all available non-identifying information about the child's background and family history.

(b) Completion of at least one visit with the child prior to placement. Placement of foreign children and infants handled by a licensed Florida child-placing agency are exempted from the requirement of pre-placement visits.

(2) The agency services worker shall visit with the potential adoptive family at least every 30 days in accordance with subsection 65C-30.007(5), F.A.C., after the placement of a child, until the adoption is finalized.

(a) Observations made during the visits shall be documented in a case file and shall form a basis for case planning with the family and the child.

(b) The agency shall assist the family and the child with problems that are identified in the placement and shall work toward their remediation.

(c) If the agency places a child out of the state for the purposes of adoption, the agency shall comply with the Section 409.401, F.S., et seq., the Interstate Compact on the Placement of Children. A request for supervision and services to be

provided by another licensed child-placing agency must be in writing. The written request must contain a request for periodic status reports on the child's progress and adjustment.

(3) The agency shall provide service to the adoptive family and child until the adoptive placement is finalized or terminated.

Specific Authority 409.175 FS. Law Implemented 409.175, 409.401, et seq. FS. History—New 12-19-90, Amended 10-27-93, Formerly 10M-24.043, Amended _____.

65C-15.031 Child Case Records Keeping for Non-Contracted Agencies.

(1) The agency shall maintain current records for each child placed in a family foster home, adoptive home, or residential group care facility. The following information at a minimum shall be contained in each file:

(a) Demographic information including the name, address, social security number, sex, religion, race, birth date, and birth place of the child;

(b) The name, address, telephone number, social security numbers, demographic information including birth dates, race, religion, family composition and marital status of the parents or guardians of the child;

(c) The name, address, and telephone number of siblings if placed elsewhere and other significant relatives, if available;

(d) Copies of legal documents of importance to the type of care such as birth record and any court dispositions or signed agreements with the family;

(e) The medical history shall include, if available, cumulative health records, addresses of all health care providers who provided treatment, examination or consultation regarding the child as well as all psychological and psychiatric reports;

(f) The social assessment and background of the family and parents;

(g) A summary which reflects the dates of contact, initial assessment, case plan, and content of the services worker's visits, including a summary of the family's involvement in the development of the case plan;

(h) The circumstances leading to the decision of the parents to place the child, the agency's involvement with the parents, including services offered, delivered, or rejected;

(i) Educational records and reports, if applicable;

(j) Summary of case reviews which reflect the contacts with and the status of all family members in relation to the case plan as well as the achievements or changes in the goals;

(k) Summary of any administrative or outside service reviews on the progress of each child toward goal determination;

(l) Summary of child's contacts with family members which reflect the quality of the relationships as the way the child is coping with them; and

(m) A record of the child's placements with names of caregivers, addresses, and the dates of care.

(2) The agency shall make every effort to maintain stable licensed out-of-home care placements for each child in licensed out-of-home care. When replacement is indicated, first consideration shall be given to returning the child to the parents or to placing the child with relatives, except for children surrendered for adoption. If the return of the child to the parent or placement of the child with a relative is not appropriate, all of the following shall be documented in the child's record within 10 working days after replacement in licensed out-of-home care:

(a) The reason for replacement;

(b) An evaluation of the appropriateness of continued licensed out-of-home care;

(c) Documentation of replacement preparation appropriate to the child's capacity to understand;

(d) Evidence of notification to the parents of the child's replacement, unless surrenders for adoption are obtained; and

(e) The information that was shared with the new foster parents about the child, including the case plans.

(3) Upon discharge a child's record shall contain:

(a) A discharge summary showing services provided during care, the growth and accomplishments, needs which remain to be met, and recommendations of the services needed to meet these goals;

(b) Date of discharge, reason for discharge, and the name, address, telephone number, and relationship of the persons or agency to whom the child was discharged; and

(c) After care plans which specify the responsibility for follow-through.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 12-19-90, Amended 10-27-93, Formerly 10M-24.046, Amended _____.

65C-15.032 Family Case Record Keeping for Non-Contracted Agencies.

(1) The agency shall have on file a record of the family of every child whom the agency places into care which contains:

(a) Demographic information including address, birth dates, race, religion, family composition, and persons important to the child;

(b) The social history, including any psychological or psychiatric reports and medical histories;

(c) Strengths and needs of the family and the services required;

(d) Services Worker's assessment and initial case plan;

(e) Signed agreements between the agency and family;

(f) Summary of dates of contact and progress toward goals;

(g) Case review reports; and

(h) Discharge summary.

(2) If the agency received the child from a custodian other than a parent, the agency shall also maintain these records on the prior custodian.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 12-19-90, Amended 10-27-93, Formerly 10M-24.047, Amended _____.

65C-15.033 Family Foster Home Records Keeping for Non-Contracted Agencies.

The agency shall keep separate records for each family foster home which shall contain:

(1) The Application for a License, CF-FSP 5135, October 1996, available at www.dcf.state.fl.us/publications/, to provide licensed out-of-home care;

(2) Verification that the screening requirements of Sections 409.175 and 435.04, F.S., have been successfully met;

(3) Licensed Home Study;

(4) Re-Licensing Studies; and

(5) A termination summary for homes which are closed, and the reason for closing.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 12-19-90, Formerly 10M-24.048, Amended _____.

65C-15.034 Adoptive Home Records Keeping for Non-Contracted Agencies.

The agency shall keep records for each adoptive family which shall contain:

(1) The applications;

(2) The adoptive home study;

(3) A copy of the information given to the parents concerning the child or children to be placed for adoption with them;

(4) All legal documents pertaining to the adoption; and

(5) Summary containing the placement decision, pre-placement and post-placement contacts with the family and the adoptive child, including services provided to stabilize the placement and decisions regarding finalization of the adoption.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 12-19-90, Amended 10-27-93, Formerly 10M-24.049, Amended _____.

65C-15.036 Intercountry Adoption Services.

(1) The agency which engages in intercountry adoptions shall provide to the adoptive parents all legal documents, pertaining to the adopted child, which have been obtained from the child's country of origin.

(2) The agency shall comply with all applicable adoption laws of the child's country of origin and the state of Florida.

(3) The agency which engages in intercountry adoptions shall comply with the requirements of the United States Immigration and Nationality Act as specified in Sections 1431 and 1433, 8 USC.

(4) The agency shall comply with the requirements of the Hague Convention and all applicable regulations for placement of children from countries that have ratified or acceded to the Hague Convention on Intercountry Adoption.

Specific Authority 63.192, 409.175 FS. Law Implemented 63.192, 409.175 FS. History--New 10-27-93, Formerly 10M-24.052, Amended _____.

65C-15.037 Private Interstate Adoptions.

This section refers to private Interstate Adoptions, which means an interstate adoption required to comply with the Interstate Compact on the Placement of Children where the child is not under the custody or supervision of the sending state's dependency court jurisdiction or child welfare agency's supervision due to an allegation of abuse, neglect or abandonment. Private interstate adoptions have different requirements for placement determination than adoptions stemming from a dependency case. All states, the District of Columbia and the United States Virgin Islands are members of the Interstate Compact on the Placement of Children. The placement of any child for adoption outside of the state of Florida with a member state or jurisdiction must be done in accordance with the Interstate Compact on the Placement of Children pursuant to the following procedures, which shall also be used when placing or bringing a child into Florida from a member state or jurisdiction. The only exemption to this rule is found in Section 409.401, Article VIII, F.S., Interstate Compact on the Placement of Children.

(1) When placing a Florida child in a member state or jurisdiction for adoption, the initial placement request package of the sending agency or person must include an original and four copies of an ICPC 100A Interstate Compact Placement Request, Form CF 794 November 2002, available at www.dcf.state.fl.us/publications/, properly completed and signed, showing the agency as responsible for planning for the child, and as financially responsible for the child, and at a minimum, three complete sets of the following:

(a) A cover letter on agency letterhead that:

1. Shows the name and phone number of the agency professional staff person who is handling the adoption;

2. Indicates in what state the adoption is to be finalized;

3. Addresses the termination of parental rights of any man required to give consent pursuant to Section 63.062, F.S., if that subject is not included in the enclosed adoption request package;

4. Includes a list identifying the contents of the enclosed adoption request package; and

5. Is signed by an authorized agency representative.

(b) Consents (if applicable):

1. An executed consent for voluntary surrender of the child signed by the legal mother and any man required to give consent pursuant to Section 63.062, F.S., showing that the agency has been given responsibility for the child;

2. If an executed consent for voluntary surrender of the child from any man required to give consent pursuant to Section 63.062, F.S., is not available, information must be provided stating how his parental rights will be addressed.

3. An affidavit of non-paternity may be provided in lieu of a consent in accordance with Section 63.062(4), F.S.

4. If a Termination of Parental Rights Order has been entered for a birth mother or any man required to give consent as per Section 63.062, F.S., a copy of the order shall be provided.

(c) Family history, social and medical information on the birth mother and birth father, including a clear statement as to American Indian tribal affiliation or heritage. If a birth parent claims American Indian tribal affiliation or heritage:

1. Proof that tribal notice has been made in accordance with the Indian Child Welfare Act of 1978 25 U.S.C. 1901, et.seq. is required and should include:

a. All responses from noticed tribes; or

b. An at risk placement agreement, developed in accordance with Section 63.092(2), F.S., signed by the prospective adoptive parents, specific to the fact that one of the birth parents has claimed American Indian tribal affiliation or heritage; and that all responses from noticed tribes have not been received; and how this may affect the proposed adoption, including that the tribe may intervene and that the adoptive parents may have to return the child to the agency.

2. In the case of a voluntary placement where the birth parent does not notify the tribe, the following are required:

a. An affidavit signed by the birth parent attesting to this choice; and

b. An at risk placement agreement, developed in accordance with Section 63.092(2), F.S., signed by the prospective adoptive parents, specific to the fact that one of the parents has claimed American Indian tribal affiliation or heritage; has chosen not to notify the tribe; and how this may affect the proposed adoption, including that the tribe may intervene and that the adoptive parents may have to return the child to the agency.

(d) A narrative report on the social and educational background of the birth mother and birth father giving a clear picture of the birth parents and the reasons for their decision to place rather than parent their child. This report must contain a signed statement by the birth parents indicating their preference for registering their names in the Florida Adoption Reunion Registry pursuant to Section 63.165, F.S.;

(e) A counseling summary document which reflects that the birth parents were advised of alternatives to adoption and that they freely chose adoption from the available alternatives;

(f) Medical information:

1. A legible copy of a hospital birth delivery and medical information report on the child, signed by a physician or registered nurse, and if the child is 1 year old or older, a legible

copy of a physical examination report signed by a physician and completed within six months of the date of the proposed placement request;

2. A legible copy of a hospital discharge report signed by a hospital official, which identifies the child and the child's medical condition at the time of discharge. A completed and signed Physician's Report on Child Form, CF-FSP 5073, Sept. 2000, available at www.dcf.state.fl.us/publications/, which includes discharge status may be substituted for the hospital discharge report when not available; and

3. Legible copies of any medical reports or assessments on the child's physical or mental health and development.

(g) The name and address of the licensed agency or person who has completed or updated the adoption home study on the prospective adoptive parents within one year of the proposed placement request, a copy of that home study, and a properly completed original department Adoptive Home Application, Form CF-FSP 5071, March 2007, available at www.dcf.state.fl.us/publications/, which is hereby incorporated by reference, signed by the prospective adoptive parents.

(h) A letter from the agency or person who will be providing supervision of the child and the prospective adoptive parents during the period between initial placement and finalization of the adoption, indicating that they have a current professional license in their state, and agree to perform the required supervision services.

(i) A copy of a court order permanently committing the child to the agency or an At Risk Placement Agreement signed by the prospective adoptive parents which acknowledge that they understand that the agency does not yet have permanent commitment of the child, and if, for some reason, the court does not grant permanent commitment to the agency, that they may have to return the child to the agency.

(j) A copy of the initial disclosure document provided to the adoptive parents as required Section 63.039(1)(a), F.S.

(k) If the department or contracted sheriff's office has an open investigation for abuse, neglect or abandonment regarding the child, verification is required that the department or contracted sheriff's office is in agreement with the child leaving the state with the prospective adoptive parents pending finalization of the adoption.

(l) It is the responsibility of the Florida licensed child-placing agency to be knowledgeable of the adoption requirements of the receiving state or jurisdiction, and to include in the sending agency placement request package any additional documents that may be required by that state or jurisdiction.

(m) The Florida Interstate Compact office will not accept facsimile transmission of an interstate placement request package.

(2) On interstate adoptive placement requests received from a sending state or jurisdiction that is a party state under the Interstate Compact on the Placement of Children, Section

409.401, F.S., the placement request package of the sending state must include an original and three copies of their ICPC 100A Interstate Compact Placement Request form, CF 794, November 2002, available at www.dcf.state.fl.us/publications/, properly completed and signed, showing the sending agency or person as responsible for planning for the child, and as financially responsible for the child, and, at a minimum, two complete sets of materials which include:

(a) Documents showing the legal status of the child, and that the parental rights of both birth parents have been terminated, or if the child is not legally free for adoption, a copy of an at risk placement agreement signed by the prospective adoptive parents. The prospective adoptive parents must acknowledge that they understand the rights of the birth parents have not been terminated, and if the court does not terminate those parental rights, they may be required to return the child to the sending state.

(b) Medical Information:

1. Medical records showing the child's date and place of birth and current medical condition. If the child is 1 year of age or older, a legible copy of a medical report must have been completed within 12 months from the date of the placement request.

2. If the child has any physical or developmental or mental health problems, there must be evidence that the prospective adoptive parents have been made aware of the full extent of the child's health problems and that they are willing and able to provide the necessary care.

(c) Documents showing that:

1. The birth parents were interviewed in regard to their rights in the adoption and their preference for registering their names in the Florida Adoption Reunion Registry.

2. Family history, social and medical background on the birth family has been gathered and prepared, including a clear statement as to American Indian tribal affiliation or heritage. If a birth parent claims American Indian tribal affiliation or heritage:

a. Proof that tribal notice has been made in accordance with the Indian Child Welfare Act of 1978 25 U.S.C. 1901 et.seq. is required and should include:

i. All responses from noticed tribes; or

ii. An at risk placement agreement, developed in accordance with Section 63.092(2), F.S., and signed by the prospective adoptive parents, specific to the fact that one of the birth parents has claimed American Indian tribal affiliation or heritage; and that all responses from noticed tribes have not been received; and how this may affect the proposed adoption, including that the tribe may intervene and that the adoptive parents may have to return the child to the agency.

b. In the case of a voluntary placement where the birth parent does not notify the tribe, the following are required:

i. An affidavit signed by the birth parent attesting to this choice; and

ii. An At Risk Placement Agreement, signed by the prospective adoptive parents, specific to the fact that one of the parents has claimed American Indian tribal affiliation or heritage; however, has chosen not to notify the tribe; and how this may affect the proposed adoption, including that the tribe may intervene and that the adoptive parents may have to return the child to the agency.

(d) An adoptive home study or update completed within 12 months of the request for placement prepared by an agency or individual licensed to provide this service in the state of Florida. A copy of a properly completed original department Adoptive Home Application, Form CF-FSP 5071, March 2007, available at www.dcf.state.fl.us/publications/, and signed by the prospective adoptive parents must be attached to the home study.

(e) A letter from a Florida licensed child-placing agency, or intermediary, who is responsible for supervision of the child and the prospective adoptive parents during the period between initial placement and finalization of the adoption, identifying the person who will perform this service, and indicating that this person has a current professional license, and agrees to perform the required supervision.

(f) If the sending state's child welfare agency responsible for investigating reported abuse of minors has an open investigation of abuse, neglect or abandonment regarding the child, verification is required that the investigating agency is in agreement with the child leaving the state with the prospective adoptive parents pending finalization of the adoption.

(g) A signed statement by the prospective adoptive parents that they have been informed of the existence and purpose of the Florida Adoption Reunion Registry pursuant to Section 63.165, F.S.:

(h) The Florida Interstate Compact office will not accept a facsimile transmission of an interstate placement request package from a sending state Interstate Compact office, agency, intermediary or person.

(i) It is the responsibility of the Florida licensed child-placing agency, or intermediary, to obtain those legal and other documents from the sending state or jurisdiction that may be required by Florida law to complete or finalize an adoption in Florida.

(3) It is the responsibility of the licensed child-placing agency to properly complete, sign and submit an ICPC 100B Interstate Compact Report on Child's Placement Status, Form CF 795, February 2002, available at www.dcf.state.fl.us/publications/, to the Florida Interstate Compact office under the following circumstances:

(a) Upon initial placement of the child with the prospective adoptive parents;

(b) Upon any change in the physical location of the adoptive child prior to finalization of the adoption.

(c) Upon finalization of the adoptive placement with the adoptive parents. On this occasion, a copy of the final adoption court order must accompany this form.

(4) Information on preparation of interstate placement requests and department forms, required by this administrative rule, may be obtained by writing to the following address:

Office of the Interstate Compact on
the Placement of Children
Family Safety Program Office
Florida Department of Children and Family Services
1317 Winewood Boulevard
Tallahassee, Florida 32399-0700

Specific Authority 63.207, 409.401, 409.175 FS. Law Implemented 63, 409.401, 409.175 FS. History—New 5-17-98, Amended _____.

65C-15.038 Specific Rules for Lead Agencies and Contracted Providers.

An agency under contract with the department as a lead agency for a specific geographical area shall ensure that all providers through which the lead agency arranges for the provision of child protection/child welfare service are licensed as required by subsection 65C-15.003(1), F.A.C. The following standards shall be applied to community-based care lead agencies.

(1) Complaints.

(a) When the department receives a complaint regarding services provided by a lead agency or its sub-contracted agencies, the department shall advise the lead agency within one working day. The department will work in cooperation with the agency to identify any reasonable corrective action necessary and document the corrective action in a plan agreed upon by the agency and the department.

(b) If resolution cannot be reached within ten working days, a referral must be made to the Executive Director of the lead agency and District Administrator of the respective parties. The Executive Director and District Administrator shall confer in an attempt to resolve the issue. If after ten working days resolution is not obtained appointed representatives from both parties shall meet and select a third representative. These three representatives shall meet within ten working days to seek resolution of the dispute. If the representatives' good faith efforts to solve the dispute fail, the representatives shall make written recommendations to the Secretary of the department who will work with both parties to resolve the dispute. All legal rights and remedies are reserved and if necessary, the department may take steps to suspend, revoke or deny the license of the agency affected. Based on the Secretary's review and recommendation, the department may:

1. Issue a full license to the Child Placing Agency, if this recommendation is made, the license shall be issued with an effective date on the date of the previous license expiration;
2. Issue a provisional license with a timeframe for compliance with outstanding issues;
3. Suspend, revoke or deny the license.

(2) Monitoring.

(a) Lead agencies shall be monitored by to ensure compliance with the terms and conditions of the service contract pertaining to the administrative and programmatic aspects of the contract related to licensing of family foster homes and compliance with this Rule. The department's Contract Oversight Unit or its designee shall perform this monitoring.

(b) The contract oversight unit shall notify the lead agency at least fourteen calendar days prior to the initiation of monitoring activities and provide a list of the items and functions that are to be monitored. The local licensing authority shall notice child placing agencies which do not contract with the department in the same manner.

(c) The contract oversight unit shall prepare a report of the results of the monitoring and deliver a copy to the lead agency and to the department's licensing authority within thirty calendar days following the completion of the monitoring.

(d) If appropriate, the lead agency shall develop a written plan of corrective action. The corrective action plan shall be submitted to the department's contract oversight unit and zone/regional licensing authority within thirty calendar days.

(e) The department's contract manager shall inform the agency in writing of its approval or disapproval of the corrective action plan within 30 calendar days of receipt.

(3) No fees shall be imposed by the lead agency or subcontractors on clients other than those set by the department.

(4) Agency Disclosure.

(a) A lead agency shall notify the department if its Executive Director position is to be vacated. The notification shall identify the person(s) who is assuming the responsibilities of that position during the vacancy and provide verification of background screening for the individual. When the Executive Director position is filled, the lead agency shall notify the department in writing of the identity and qualifications of the new incumbent.

(b) A lead agency shall submit to the department in writing any revisions to procedures or policies that may have a potential impact on federal claims. The department shall review the proposed revisions within thirty calendar days of their receipt.

(5) Insurance. Adequate insurance as set forth in Section 409.1671(1)(h), F.S. shall be maintained on all vehicles used to transport children, whether owned by the agency or by staff. Compliance with this requirement shall be determined through monitoring by the contract oversight unit of the department.

(6) Training. Lead agency and subcontracted staff who perform child protection/child welfare services or who supervise the provision of those services shall be required to meet the training and certification requirements for those positions as established by the department under Section 402.40, F.S., within twelve months of employment.

(7) Clients Served. A lead agency shall serve all clients referred from the department. The lead agency shall be responsible for supervision and out-of-home placement for eligible children, twenty-four hours a day, seven days a week and shall provide services to children in an out-of home placement as specified in Rule Chapter 65C-28, F.A.C. Eligible clients are:

(a) Children, young adults, and families who are in need of licensed out-of-home care and related services as described in Chapters 39 and 409, F.S., as a result of child maltreatment;

(b) Families whose children are at risk of imminent out-of-home placement and who may benefit from preventive services that are funded under the terms and conditions of the lead agency's contract;

(c) Relative caregivers as defined in Chapter 39.5085, F.S.;

(d) Licensed out-of-home caregivers and other substitute caregivers as defined in Chapter 409.175, F.S., and subsection 65C-30.001(77), F.A.C.

(e) Families formed through adoption as defined in Sections 39.01(6) and 63.032(6), F.S.

(f) Persons covered by out-of-town inquiry, courtesy supervision by the provider or Interstate Compact on the Placement of Children pursuant to Section 409.1671(1)(a), F.S.;

(g) Special condition cases referred from the department or law enforcement agencies providing child protection investigations; and

(h) Children and families served in prevention and diversion programs.

(8) Recruitment and Retention.

(a) A lead agency shall establish a written recruitment plan for finding adequate foster and adoptive parent resources for waiting children. The plan must contain a means to ensure an adequate number of qualified placement options is maintained at all times to meet the needs of children who cannot safely remain in their own homes. The plan must detail a defined approach for recruiting, approving, maintaining and supporting high quality family foster homes and potential adoptive parents to match the needs of the children coming into care and a means by which the agency will measure compliance with this requirement.

(b) All agencies shall maintain documentation of all licensing activities for each family foster home as required by Rule Chapter 65C-13, F.A.C.

(9) Documentation and Record Retention.

(a) A lead agency shall completely document the provision of services to each client. These records shall be produced and updated in accordance with the agency's policy, procedures, and guidelines. In addition, the records shall include:

1. Initial and subsequent comprehensive behavioral assessments;

2. Relative home studies for in-home placement;

3. Family Foster Home Records;

4. Adoptive and Potential Adoptive Family Records;

5. Legal documents (e.g. court orders);

6. Case plans;

7. Medical records;

8. Educational records;

9. On-going records of contacts with children, legal parents and out-of-home caregivers, court appearances and other collateral contacts on behalf of children and families served under the agency's contract; and

10. Records required by applicable state or federal laws, rules, regulations or department operating procedures.

(b) The lead agency shall maintain the Statewide Automated Child Welfare Information System (SACWIS), and the Integrated Child Welfare Information System (ICWSIS) and provide the department all required data. The lead agency shall register special needs children and maintain current information on the Adoption Exchange System on those children who have been permanently committed to the department and who are legally freed for adoption. Upon request, the lead agency shall provide back-up documentation and records regarding the information provided the department;

(c) Active case files shall be returned to the department upon termination of a lead agency contract.

(d) An agency licensed for the purpose of being a lead agency shall comply with the department record retention schedule as approved by the Florida Department of State Bureau of Archives and Records Management.

Specific Authority 39.001(2), 409.1671, 409.175 FS. Law Implemented 39, 409.1671, 409.175 FS. History--New _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-21.004	Season
68B-21.005	Size Limit
68B-21.006	Bag and Possession Limits
68B-21.007	Restrictions on Gear and Methods Used to Take Snook

NOTICE OF CORRECTION

Notice is hereby given that the following technical corrections have been made to the proposed rule amendments in Vol. 33, No. 19, May 11, 2007. Technical changes are made only to the proposed amendments to Rules 68B-21.004, 68B-21.005, 68B-21.006, and 68B-21.007, as follows:

68B-21.004 Seasons.

(1) No person, firm or corporation shall kill, harvest or have in its possession, regardless of where taken, any snook during the following closed periods, in the indicated areas:

(a) No change.

(b) In ~~all state waters of the Atlantic Region Ocean north and east of the Dade Monroe County Line, except in waters of Everglades National Park,~~ during the months of June, July or August.

(c) In ~~all state waters of the Gulf Region Atlantic Ocean south and west of the Dade Monroe County Line, in all state waters of the Gulf of Mexico, and in waters of Everglades National Park,~~ during the first 14 days of the month of December, and during the months of February, May, June, July, or August.

(2) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-23-85, Amended 7-9-87, 3-1-94, Formerly 46-21.004, Amended 1-1-02,_____.

68B-21.005 Size Limits.

(1) It is unlawful for any person, firm or corporation to kill, harvest or possess any snook that measures less than ~~28~~ 27 inches or greater than ~~32~~ 34 inches in total length in the Atlantic Region and less than 28 inches or greater than 33 inches in the Gulf Region.

(2) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-23-85, Amended 7-9-87, 3-1-94, 12-31-98, Formerly 46-21.005, Amended 7-1-06, 7-19-06,_____.

68B-21.006 Bag and Possession Limits.

(1) In ~~all state waters of the Atlantic Region Ocean north and east of the Dade Monroe County Line, except in waters of Everglades National Park,~~ no person, firm or corporation shall kill or harvest more than one ~~two~~ snook per day during the open season, nor possess more than one ~~two~~ snook at any time during the open season.

(2) In ~~all state waters of the Atlantic Ocean south and west of the Dade Monroe County Line, in all state waters of the Gulf Region of Mexico, and in waters of Everglades National Park,~~ no person, firm, or corporation shall kill or harvest more than one snook per day during the open season, nor possess more than one snook at any time during the open season.

(3) through (4) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-23-85, Amended 3-1-94, 12-31-98, Formerly 46-21.006, Amended 1-1-02,_____.

68B-21.007 Restrictions on Gear and Methods Used to Take Snook.

(1) through (2) No change.

(3) It is unlawful for any person, firm, or corporation while fishing, using, transporting or possessing any net, seine, trap or other fishing device not specifically permitted in subsection (1) of this rule to have in its possession any snook. This prohibition shall not apply to possession aboard a vessel of a ~~single~~ cast nets if they are ~~it is~~ secured and stored off the deck of the vessel. Any snook accidentally taken by any trap, net or seine shall not be deemed to be possessed in violation of this rule if such snook is immediately returned to the water free, alive and unharmed.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-23-85, Amended 7-9-87, 3-1-94, 1-1-98, Formerly 46-21.007, Amended 6-29-00,_____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-171.009
RULE TITLE: Medical Malpractice Insurance Open Claims Reporting

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 19, May 11, 2007 issue of the Florida Administrative Weekly.

The change involved creates paragraphs 690-171.009(4)(i) and 690-171.009(4)(j), which read as follows:

(i) For ceded and assumed reinsurance items for multi-state reporting entities that cannot possibly be assigned to Florida on a claim-by-claim basis, such as ceded earned premium, assumed earned premium, ceded IBNR and assumed IBNR, a reasonable allocation of the countrywide amount will be acceptable. However, for items that could be determined on a claim-by-claim basis (such as direct paid losses, or assumed or ceded losses on a per occurrence excess of loss contracts), reporting actual amounts is required even if circumstances make it difficult to obtain the data.

(j) For direct items for multi-state reporting entities that cannot possibly be assigned to Florida on a claim-by-claim basis, such as IBNR, a reasonable allocation of the countrywide will be acceptable. However, for items that could be determined on a claim-by-claim basis (such as direct paid losses, or assumed or ceded losses on a per occurrence excess of loss contracts), reporting actual amounts is required even if circumstances make it difficult to obtain the data.

The remainder of the rule reads as previously published.

FINANCIAL SERVICES COMMISSION

Finance

RULE NOS.:	RULE TITLES:
69V-560.102	Application Forms, Procedures and Requirements
69V-560.103	Definitions
69V-560.201	Requirements
69V-560.302	Renewal Fees, Deadlines and Requirements
69V-560.402	Bond
69V-560.602	Quarterly Reports
69V-560.606	Annual Filing of Financial Statements by Part II Registrants

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 8, February 23, 2007 issue of the Florida Administrative Weekly.

In response to comments from the staff of the Joint Administrative Procedures and The Money Services Round Table (TMSRT), the Office of Financial Regulation has revised Rules 69V-560.102, 69V-560.103, 69V-560.201, 69V-560.302, 69V-560.402, 69V-560.602, and 69V-560.606, F.A.C. A summary of the revisions, along with the revised rule text, is provided below.

Rule 69V-560.102. Forms OFR-560-03 (General Instructions), OFR-560-02 (General Instructions), and the Fingerprint Card (FL922720Z) are amended to correct technical errors and deficiencies. Form OFR-560-01 is amended to reflect to changes being made to Rule 69V-560.402, relating to bonding. Paragraph (10)(a) of the rule is amended by adding the word “form” after the word “application” to clarify that required amendments are those that address information specified in the application form. This change was in response to comments from TMSRT. The proposed amendment to paragraph (10)(c) has been removed. The history notes are amended to reference Section 560.209, F.S., which relates to bonding and alternative security devices.

Rule 69V-560.103. The provision creating a definition of the term “net worth” has been removed. This change is in response to comments from the TMSRT.

Rule 69V-560.201. This rule references Form OFR-560-01, which has been amended. No other changes have been made to the rule.

Paragraph 69V-560.302(3)(b). This rule is amended to correct a cross reference.

Rule 69V-560.402. Subsections (5) through (7) are revised to address comments from the TMSRT regarding bonding requirements. Forms OFR-560-01 and OFR-560-07 are amended accordingly.

Rule 69V-560.602. This rule is amended to correct a technical error to Form OFR-560-04. The rule and the form are amended to remove language that references penalties for failure to file

the quarterly report in a timely manner. The penalties and exceptions to the penalties are provided in Section 560.118(2)(c), F.S.

Paragraph 69V-560.606(1)(a). Form OFR-560-08, which is incorporated by reference in this rule, has been amended to correct a cross reference. No other changes have been made to this rule.

The revised rule text is as follows:

69V-560.102 Application Forms, Procedures and Requirements.

(1) Forms. All forms referenced in this rule are available on the Office of Financial Regulation’s website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376 ~~Application forms for all registrations covered by these rules may be obtained at no cost from the Office of Financial Regulation’s website (www.dbf.state.fl.us), by telephone, or in writing.~~ All applications must be in the format required by the Office of Financial Regulation. ~~Requests for forms should be sent to: Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0375.~~

(2)(a) Applications in the format required by the Office of Financial Regulation, accompanied by the prescribed fee for the requested registration, shall be filed with the Office of Financial Regulation at the address in subsection (1) above. No application will be deemed filed or received unless accompanied by the proper filing fee; ~~or~~

~~(b) In lieu of filing the required application forms, an applicant may file the application information electronically by following the applicable instructions on the Office of Financial Regulation’s website (www.dbf.state.fl.us) on the Internet.~~

(3)(a) All applicants for registration must file a completed application Form OFR-~~560~~ MT-5-01, Application to Register as a Money Transmitter ~~Pursuant to Chapter 560, F.S., effective 1/1/2007~~ ~~4/0/01~~, which is hereby incorporated by reference.

(b) All applicants for registration who propose to engage in deferred presentment transactions as defined in Section 560.402, F.S., shall file a completed Form OFR-~~560-03~~ MT-3-01, Declaration of Intent to Engage in Deferred Presentment Transactions, effective ~~1/1/2007~~ ~~4/0/01~~, which is hereby incorporated by reference, together with the required nonrefundable fee for deferred presentment providers. Applicants must be registered pursuant to Part II or Part III of Chapter 560, F.S., in order to engage in deferred presentment transactions.

(c) All applicants for registration shall submit a completed Form OFR-~~560-02~~ MT-2-01, Location Notification Form, effective ~~1/1/2007~~ ~~4/0/01~~, which is hereby incorporated by reference, for each proposed “location” as defined in Rule 69V-560.103, F.A.C., not including the applicant’s primary business location, together with the required nonrefundable fee.

(d) All applicants for registration as a payment instrument seller or funds transmitter shall file audited financial statements prepared in accordance with generally accepted accounting principles that are dated within 90 days prior to the date the application is received by the Office of Financial Regulation, and if available, audited financial statements for the immediately preceding 2-year period. In cases where the applicant is a wholly owned subsidiary of another corporation, the parent's consolidated audited financial statements may be submitted to satisfy this requirement. If the date of the application is more than 90 days after the applicant's fiscal year-end audited financial statements, the applicant shall file unaudited financial statements reviewed by an independent certified public accountant dated within 90 days of the date of the application for the period subsequent to the audit report, together with the audited financial statements for the most recent fiscal year. If the applicant has been in business less than 12 months, and has not prepared an audited financial statement, the applicant may file unaudited financial statements reviewed by an independent certified public accountant.

(4)(a) The responsible person who will be in charge of the applicant's business activities in this state, and each existing or proposed director, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, partner, executive officer, principal, member, joint venturer, and all controlling shareholders shall complete the Biographical Summary in Form OFR-560-01 MT-7-01, Biographical Form, effective 10/01, which is hereby incorporated by reference in subsection (3). If any of the foregoing individuals are non-U.S. Citizens, Addendum (1) to the Biographical Summary Form shall also be completed and filed.

(b) An existing or proposed director, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, partner, member, joint venturer, executive officer, controlling shareholder, and responsible person shall review and attest to the accuracy of the forms submitted on his or her behalf.

(5) The responsible person who will be in charge of the applicant's business activities in this state, and each existing or proposed director, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, partner, executive officer, principal, member, joint venturer, and all controlling shareholders, unless exempt under Section 560.205(1) or 560.306(1), F.S., shall file a completed Florida Fingerprint Card (FL922720Z FL921050Z), effective _____, which is hereby incorporated by reference, accompanied by a nonrefundable \$47 processing fee. If the Federal Bureau of Investigation cannot process the fingerprint card because of illegible fingerprints, a second card must be submitted. ~~If that card cannot be processed, it will be necessary to submit a third card along with a nonrefundable fee~~

~~of \$24 to cover the cost of processing the card. The Office of Financial Regulation reserves the right to require as many submissions of fingerprint cards and fees as may be necessary until such time as the card can be properly processed by the appropriate law enforcement agency.~~ Any applicant claiming the statutory exemption from the fingerprint requirement shall submit evidence to support its claim to the exemption.

(6) No change.

(7) Request for Additional Information. ~~All information the applicant wants to present to support the application should be submitted with the original filing.~~ Any request for additional information will be made by the Office of Financial Regulation within thirty (30) days after receipt of the application. The additional information must be received by the Office of Financial Regulation within forty-five (45) days from the date of the request. Failure to respond within forty-five (45) days from the date of the request shall be grounds for the Office of Financial Regulation to deny the application for failure to complete the application; and the application may be denied pursuant to subsection 120.60(1), F.S.

(8) Refunds. If the application is withdrawn or denied, all fees are nonrefundable.

(9) Withdrawal of Application. An application may be withdrawn if the applicant submits a written request for same that is approved by the Office of Financial Regulation before the application is approved or denied.

(10)(8)(a) Amendment of Application. If the information contained in any application form for a registration as a money transmitter, or in any amendment thereto, becomes inaccurate for any reason, the registrant shall file an amendment correcting such information within thirty (30) days of the change on Form OFR-560-01, which is incorporated by reference in subsection (3). A request to amend an application must be in writing and shall be submitted to the Office of Financial Regulation at the address in subsection (1).

(b) Provided the Office of Financial Regulation has not already docketed a Notice of Intent to Deny the Application, an applicant may amend the application after receiving written permission from the Office of Financial Regulation following the Office of Financial Regulation's review of and determination that the applicant's written request to amend:

1. through 4. No change.

5. ~~May Shall~~ not be denied pursuant to paragraph (c), if the request to amend makes a material change to the application.

(c) A request to amend which makes a material change to the application or to the Office of Financial Regulation's evaluation of the application is a violation of subsection (7) and the Office of Financial Regulation shall deny the application in accordance with Section 560.114(1)(a), F.S.,

unless the applicant has made a good faith effort to comply with the statutory requirements of Chapter 560, F.S., and the rules of this chapter. Material changes include:

1. No change.
2. The substitution or addition of a director, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, partner, member, joint venturer, responsible person, or controlling shareholder;
3. through 5. No change.
- (d) No change.

~~(9) When an application is denied on the grounds set forth above, the applicant shall be duly notified.~~

Specific Authority 215.405, 560.105(3), 560.118(2), 560.205(1), 560.205(2), 560.209(2)(a), 560.403(1) FS. Law Implemented 215.405, 560.102, 560.118, 560.129, 560.204, 560.205, 560.209, 560.303(1), 560.305, 560.306, 560.307, 560.403 FS. History–New 9-24-97, Amended 11-4-01, 12-11-03, Formerly 3C-560.102, Amended.

69V-560.103 Definitions.

For the purposes of this chapter, the following definitions shall apply:

- (1) through (5) No change.
- (6) “Financial Statements” shall be defined as those reports, schedules and statements, prepared in accordance with United States Generally Accepted Accounting Principles, which contain at least the following information:
 - (a) Statement of Financial Condition (Balance Sheet); ~~and~~
 - (b) Statement of Income;:-
 - (c) Statement of Cash Flows; and
 - (d) Statement of Changes in Stockholders’ Equity.
- (7) through (10) No change.

(11) “Publicly Traded” means that the stock is currently traded on a national securities exchange registered with the U.S. Securities and Exchange Commission or traded on an exchange in a country other than the United States regulated by a regulator with equivalent authority and power as the U.S. Securities and Exchange Commission and the disclosure and reporting requirements of such regulator are substantially similar to those of the U.S. Securities and Exchange Commission.

~~(12)(11)~~ “Registrant” means a person registered by the Office of Financial Regulation pursuant to Part II or Part III of the Money Transmitters’ Code.

~~(13)(12)~~ “Responsible person” means any individual who has principal active management authority over the business as defined by Section 560.103(18), F.S.

~~(14)(13)~~ “Unaudited Financial Statements” shall be defined as those financial statements prepared in accordance with United States Generally Accepted Accounting Principles

and reviewed by a Certified Public Accountant, but not accompanied by the statements and representations as set forth in paragraphs (3)(b), (c), and (d) of this rule.

~~(15)(14)~~ “Holiday” means such days as are designated by Section 110.117, F.S.

~~(16)(15)~~ “Gross Income” means Gross Revenue (Sales) – Cost of Goods Sold.

Specific Authority 560.105(2) FS. Law Implemented 560.103, 560.118(2), 560.205(3), (4), 560.208 FS. History–New 9-24-97, Amended 11-4-01, Formerly 3C-560.103, Amended 9-14-04, _____.

69V-560.302 Renewal Fees, Deadlines, ~~Late Fees~~ and Requirements.

(1)(a) Payment Instrument Seller or a Funds Transmitter (Part II registrant): Registrations issued to Part II registrants shall remain effective through April 30 of the second year following the date of issuance of the registration, not to exceed 24 months, unless during such period the registration is surrendered, suspended, or revoked.

(b) A renewal of a funds transmitter or payment instrument seller registration (Part II registrant) shall include a nonrefundable renewal fee of \$1,000.00, plus \$50.00 for each location being renewed, including branch offices and authorized vendors, operating within this state, or a total 2-year nonrefundable renewal fee of \$20,000.00 to renew all such locations operating within this state. The \$50.00 location renewal fee shall not apply to the registrant’s primary business address.

~~(c)(b)~~ All renewal fees applications for Part II registrants must be received by the office on or filed on or after January 1 of the year in which the existing registration expires, but before the expiration date of April 30. If the renewal fees are received a renewal application is filed within 60 calendar days after the expiration date of an existing registration, the ~~renewal application and~~ renewal fees must shall be accompanied by a nonrefundable late fee of \$500.00. If the registrant has not filed the requisite renewal fees and late fees a renewal application within 60 calendar days after the expiration date of an existing registration, the registration shall expire and a new application must shall be filed pursuant to Section 560.205, F.S.

(2)(a) Check Casher or Foreign Currency Exchanger (Part III registrant): Registrations issued to Part III registrants shall remain in effect through the remainder of the second calendar year (December 31) following the date the registration was issued. Thereafter, renewals are issued for a 24-month period from December 31 of the year the registration or renewal expires, unless during such period the registration is surrendered, suspended, or revoked.

(b) A renewal of a check casher or foreign currency exchanger registration (Part III registrant) shall include a nonrefundable renewal fee of \$500.00, plus \$50.00 for each location being renewed, including branch offices and

authorized vendors, operating within this state, or a total 2-year nonrefundable renewal fee of \$20,000.00 to renew all such locations operating within this state. The \$50.00 location renewal fee shall not apply to the registrant's primary business address.

~~(c)(b) All renewal fees applications for Part III registrants must be received by the office on or before the expiration date of filed on or after June 1 of the year in which the existing registration expires, but not later than December 31 of that year. If the renewal fees are received A renewal application, renewal fees, and a late fee of \$250.00 must be filed within 60 calendar days after the expiration date of an existing registration, the renewal fees must be accompanied by a non-refundable late fee of \$250.00 in order for the registration to be reinstated. If the registrant has not filed the requisite renewal fees and late fees a renewal application within 60 calendar days after the expiration date of an existing registration, the registration shall expire and a new application must be filed pursuant to Section 560.307, F.S.~~

(3)(a) Deferred Presentment Providers (Part IV): The "Declaration of Intent to Engage in Deferred Presentment Transactions" shall expire concurrently with the registrant's Part II or Part III registration. A registrant who intends to continue to engage in deferred presentment transactions must concurrently renew their registration pursuant to Part II or Part III in order to remain qualified to act as a deferred presentment provider. A declaration of intent non-refundable renewal fee of \$1000 must be received by the Office on or before the expiration date of the registrant's Part II or Part III registration. The renewal of a deferred presentment provider's "Declaration of Intent to Engage in Deferred Presentment Transactions" shall be indicated on Form OFR-MT-6-01 (Application to Renew Registration as a Money Transmitter Pursuant to Chapter 560, F.S.), and submitted together with the required nonrefundable renewal fee for a deferred presentment provider.

~~(b) If the declaration of intent renewal fee is received A renewal declaration of intent and fee, and a late fee of \$500.00, must be filed within 60 calendar days after the expiration of the registrant's Part II or Part III an existing registration, the declaration of intent renewal fee must be accompanied by a non-refundable late fee of \$500.00 in order for the declaration of intent to be reinstated. If the registrant has not filed the requisite declaration of intent renewal fee and late fee a renewal declaration of intent within 60 calendar days after the expiration date of the registrant's Part II or Part III an existing registration, the declaration of intent shall expire and a new declaration must be filed pursuant to Section 560.403, F.S.~~

(4) If any date in this rule falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S. weekend or holiday, the renewal application together with the required renewal fees and any applicable late fees must be received by the Office of Financial Regulation by the close of business on the next business day.

Specific Authority 560.105(3) FS. Law Implemented 560.206, 560.207, 560.308, 560.403 FS. History--New 9-24-97, Amended 12-30-98, 11-4-01, Formerly 3C-560.302, Amended.

69V-560.402 Bond.

(1) No change.

(2) The corporate surety bond must be issued by a bonding company or insurance company authorized to do business in this state. The originally executed Form OFR-560-06, Money Transmitter Surety Bond Form, effective 1/1/2007, which is hereby incorporated by reference, shall be maintained on file with the Office at all times. The bond form must be executed by the bonding company and the applicant.

(3) All items pledged in lieu of a corporate surety bond must be held or deposited at a federally insured financial institution as defined by Section 655.005(1)(h), F.S. The originally executed Form OFR-560-05, Pledge Agreement, effective 1/1/2007, which is hereby incorporated by reference, shall be maintained on file with the Office at all times. The Pledge Agreement bond form included in Form OFR-MT-5-01, must be executed by the federally insured financial institution and the applicant.

(4) No change.

(5)(a) The amount of the surety bond, collateral deposit, or combination thereof shall under no circumstances be for an amount less than \$50,000. The amount of the surety bond or collateral deposit shall not exceed \$250,000 except as provided in paragraph (b). The amount of the surety bond shall be calculated based upon 2% of the applicant's projected total U.S. dollar volume of transactions for the first year of operation in accordance with the table below. Thereafter a registrant shall calculate annually the required amount of their surety bond based upon 2% of the registrant's total U.S. dollar volume of transactions for the preceding 12 month period in accordance with the table below.

<u>2% of U.S. dollar volume</u>	<u>Required amount of security device</u>
<u>\$0 – \$50,000</u>	<u>\$50,000</u>
<u>\$50,001 – \$100,000</u>	<u>\$100,000</u>
<u>\$100,001 – \$150,000</u>	<u>\$150,000</u>
<u>\$150,001 – \$200,000</u>	<u>\$200,000</u>
<u>\$200,001 – \$499,999</u>	<u>\$250,000</u>

(b) In accordance with paragraph 560.209(2)(a), F.S., the amount of the surety bond, collateral deposit, or combination thereof shall be \$500,000 under the following extraordinary circumstances. For the purposes of this rule, "extraordinary circumstances" means:

1. if the registrant's total U.S. dollar volume of transactions for the preceding 12 month period exceeds \$25,000,000; or,

2. if the total number of active locations/vendors as determined in paragraph (6)(b) of this rule is greater than 250.

(6)(a) For purposes of compliance with the provisions of this rule, a registrant shall calculate the amount of their surety bond, collateral deposit, or combination thereof in accordance with subsection (5) of this rule each December 31st for the preceding 12 months.

(b) For purposes of compliance with subparagraph (5)(b)2. of this rule the number of active locations/vendors shall be the number of branches in operation and the number of vendors currently under contract with the registrant on December 31st.

(7) After completing one full year of registration, each registrant shall annually file on Form OFR-560-07, Security Device Calculation Form, revised 1/1/2007, which is hereby incorporated by reference and available on the Office website at www.flofr.com and by mail at the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376, the required information regarding the registrant's amount of surety bond, collateral deposit, or combination thereof as prescribed in subsection (5) of this rule not later than January 31st of each calendar year for the preceding calendar year. If based on the registrant's calculation, the amount of the device must be increased, the registrant shall provide to the Office an additional surety bond, surety rider for an existing bond, collateral deposit pledge agreement or combination thereof reflecting the amount required no later than sixty (60) days following the deadline to file Form OFR-560-07, Security Device Calculation Form.

(b) The required bond, collateral deposit or combination thereof for renewal registration shall be calculated in accordance with Form OFR-MT-6-01.

(c) The required bond, collateral deposit or combination thereof shall not exceed \$250,000.00, unless the Office of Financial Regulation determines that an extraordinary circumstance, such as those of Section 560.209(2)(a), F.S., exists which requires an additional amount above \$250,000.00. However, the maximum bond, collateral deposit or combination thereof shall be \$500,000.00.

(8)(6) The bond, collateral deposit or combination thereof shall remain in place for 5 years after the registrant ceases operations in this state. The security shall be reduced or eliminated prior to that time upon written approval, if the Office of Financial Regulation determines that the registrant's outstanding payment instruments or funds transmitted in this state have been paid or reduced and that such lesser amount adequately protects the interests of the public.

(9)(7) A registrant must at all times have and maintain the bond, collateral deposit or combination thereof in the amount prescribed by the Office of Financial Regulation. If the Office of Financial Regulation at any time reasonably determines that the bond or elements of the collateral deposit are insecure, deficient in amount, or exhausted in whole or in part, the Office of Financial Regulation shall, by written order, require the filing of a new or supplemental bond or the deposit of new or additional collateral deposit items.

(10) All forms incorporated by reference in this rule are available on the Office's website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Specific Authority 560.105(3), 560.209(2)(a) FS. Law Implemented 560.207, 560.209 FS. History--New 9-24-97, Amended 12-30-98, 11-4-01, Formerly 3C-560.402, Amended _____.

69V-560.602 Quarterly Reports to Be Filed by Check Cashers.

(4) Every money transmitter registered pursuant to the Code registered check-casher shall submit a quarterly report to the Office of Financial Regulation by filing a completed ~~on~~ Form OFR-560-04MT-1-01, Money Transmitter Quarterly Report Form, effective 1/1/2007 ~~10/01~~, which is hereby incorporated by reference and available on the Office's website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376. A completed quarterly report form Such report shall be received by the Office of Financial Regulation no later than forty-five (45) days after the conclusion of each quarter and shall be sent to Division of Securities and Finance at the address listed in subsection 69V-560.102(1), F.A.C. Should the forty-fifth day fall on a Saturday, Sunday weekend or holiday, the reports must be received by the Office of Financial Regulation no later than the next business day.

(2) In lieu of filing Form OFR-MT-1-01, a registrant may submit the required quarterly report information electronically on or before the deadline by following the applicable instructions on the Office of Financial Regulation's website (www.dbf.state.fl.us) on the Internet.

(3) The Office of Financial Regulation shall levy a late payment penalty of \$100.00 per day or part thereof that a report is past due. A report is "past due" if it is received by the Office of Financial Regulation one or more days beyond the period defined in subsection (1).

Specific Authority 560.105(3), 560.118(2)(b) FS. Law Implemented 560.118(2) FS. History--New 9-24-97, Amended 12-30-98, 11-4-01, Formerly 3C-560.602, Amended _____.

69V-560.606 Annual Filing of Financial Statements by Part II Registrants.
No change.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-30
RULE TITLE: Overtime/Compensation for Excess Hours of Work

SUMMARY OF RULE: This emergency rule establishes the classifications and clarifies overtime for included and excluded positions.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-30 Overtime/Compensation for Excess Hours of Work.

(1) Each classification shall be designated as "included" or "excluded."

(a) For included positions, overtime is defined as hours of work, excluding holidays and leave, in excess of forty (40) hours during the established workweek, or in excess of the number of hours in an extended work period.

(b) For excluded positions, hours of work, excluding holidays and leave, in excess of forty (40) hours during the established workweek, or in excess of the number of hours in an extended work period shall be compensated as described in subsections (4) through (6) below.

(2) An employee who is filling an included position shall be paid for all overtime at a rate which is one and one-half (1 1/2) times the employee's regular hourly rate of pay.

(3) Payment for overtime shall be made immediately following the pay period during which the overtime was worked.

(4) An employee who is filling an excluded position, other than an executive management position, shall accrue regular compensatory leave credits on an hour for hour basis for all hours required to be worked in excess of forty (40) hours in the workweek or in excess of the number of hours in an extended work period. An employee shall not accrue in excess of one hundred sixty (160) regular compensatory leave credits in a fiscal year. All regular compensatory leave credits in excess of one hundred twenty (120) hours will be forfeited on July 1, unless a waiver has been approved by the Secretary. The conditions under which the Secretary shall approve a waiver are:

(a) The employee's workload has prevented the employee from utilizing the excess compensatory leave credits; and

(b) The excess compensatory leave credits are earned within the sixty (60) day period prior to July 1.

(5) No cash payment shall be made to an employee filling an excluded position for unused regular compensatory leave credits. However, holiday compensatory leave credits can be accrued in addition to any regular compensatory leave credits,

and if such employee separates from employment with the Lottery or joins Lottery Executive Management prior to being granted such leave, the employee shall be paid for all unused holiday compensatory leave credits in accordance with the provisions of this chapter.

(6) When an employee moves from a position in a class requiring the granting of regular compensatory leave credits to any other position in the Lottery, any unused regular compensatory leave credits shall be transferred.

(7) This emergency rule shall replace Rule 53ER05-52, F.A.C., Overtime/Compensation for Excess Hours of Work.

Specific Authority 24.105(9)(j) FS. Law Implemented 24.105(19)(d) FS. History--New 5-7-07. Replaces 53ER05-52, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: May 7, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-31
RULE TITLE: Overtime Compensation

SUMMARY OF RULE: This emergency rule sets forth the provisions for compensation for employees filling included positions and OPS employees performing similar duties and for employees filling excluded positions other than those in Executive Management.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-31 Overtime Compensation.

(1) Employees filling included positions and OPS employees performing similar duties shall be paid for overtime. Overtime payments shall be computed at a rate of one and one-half (1 1/2) times the employee's regular hourly rate for hours of work, excluding holidays and leave, in excess of forty (40) in a workweek or in excess of the number of hours in an extended work period. An employee shall work overtime hours only as authorized by management.

(2) Employees filling excluded positions, other than those in Executive Management, shall accrue regular compensatory time on an hour for hour basis for all hours of work in excess of forty (40) hours in the workweek or in excess of the number of hours in an extended work period, excluding holidays and leave, which are performed at the request of management. An employee shall not accrue more than one hundred sixty (160) regular compensatory hours in a fiscal year. All hours in excess of one hundred twenty (120) on July 1 of each fiscal year shall

be forfeited, unless a waiver has been approved pursuant to subsection 53ER07-30(4), F.A.C., *Overtime/Compensation for Excess Hours of Work.*

(3) *This emergency rule shall replace Rule 53ER05-53, Overtime Compensation.*

Specific Authority 24.105(9)(j) FS. Law Implemented 24.105(19)(d) FS. History—New 5-7-07. Replaces 53ER05-53, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: May 7, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on April 26, 2007, the Florida Department of Law Enforcement, received a petition for Waiver of Rule 11B-27.002, F.A.C., pursuant to Section 120.542, F.S. from Sean Michael O’Flannery. Petitioner has requested that the Department waive the requirement that recruits complete basic training, pass the SOCE, and gain employment within four years of beginning basic recruit training.

Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye. A copy of the Petition for Variance or Waiver may be obtained by contacting: Assistant General Counsel Grace A. Jaye at the above address, or by calling (850)410-7676.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 17, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Rosen Shingle Creek located in Orlando. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 42.

This variance request was approved May 2, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed forty-two (42) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 19, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code (F.A.C.), from Heritage Bay Golf and Country Club located in Naples. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C. The Petitioner is requesting a variance use alternative methods for sewage disposal.

This variance request was approved May 2, 2007, and is for only 12 months from the date of filing from the Agency Clerk and is contingent upon the Petitioner using six, three-hundred gallon holding tanks or greater for the kitchen operation. The wastewater holding tanks are to be serviced as needed, not less than one time a day, as to prevent a sanitary nuisance. Petitioner shall install some device or implement procedures to monitor the holding tanks so they do not overflow or back-up into the temporary structures. Petitioner must have an approved supply of potable water with written documentation provided. The Petitioner shall follow all applicable Administrative Rules and Federal Food and Drug Administration Food Code references. All provisos and plan review deficiencies shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 1, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from J&B Sandwiches located in Indialantic. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The Petitioner requests to use bathroom facilities located in an adjacent establishment that is owned by the leaser.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN THAT on April 5, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Quizno's Subs located in Clermont. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 22.

This variance request was approved May 3, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty-two (22) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on March 22, 2007, the Board of Professional Engineers, received a petition for Variance or Waiver filed on March 22, 2007 on behalf of Amr Sallam. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., Petitioner seeks a waiver of the provisions of Rule 61G15-20.007, Florida Administrative Code, which is entitled "Demonstration of Substantial Equivalency." Specifically, the Petitioner requests, for reasons set forth in the petition, a waiver of those requirements under subsection 61G15-20.007(2), F.A.C., that govern the stated amount of credit hours required in the humanities and social sciences by

either counting his additional hours in Engineering Science and Design as humanities and social sciences, or waive that particular requirement altogether.

This Petition will be considered by the Board at its meeting on May 25, 2007.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

NOTICE IS HEREBY GIVEN THAT on March 20, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 11, 2006, by William T. Harmon. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 43, of the October 27, 2006, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(a), F.A.C., entitled "Concentrations in Accounting and Business" with regard to the requirement that an applicant for licensure hold a baccalaureate degree from an accredited college or university with an additional 30 semester or 45 quarter hours in excess of those required for the degree, and that 36 semester or 54 quarter hours earned must be accounting education above the elementary level to include coverage of auditing, cost and marginal accounting, financial accounting, accounting information systems, and taxation. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida. The Board's Order denied the petition finding that Petitioner failed to establish that the purpose of the underlying statute, Section 473.306(2), Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-27.002(2)(a), F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on March 20, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on September 28, 2006, by Marian Jacklich. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 47, of the November 22, 2006, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(b) and subsection (3), F.A.C., entitled "Concentrations in Accounting and Business" with regard to the requirements regarding upper division general business courses for licensure as a C.P.A. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida. The Board's Order granted the petition finding that Petitioner had

established that the purpose of the underlying statute, Section 473.306(2)(b), Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-27.002(2)(b) and subsection (3), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN that on March 20, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 4, 2006, by Philip Newman. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 43, of the October 27, 2006, F.A.W. Petitioner sought a waiver or variance of subsection 61H1-27.001(5), F.A.C., entitled "College or University Requirements" with regard to the requirement that an applicant for licensure who does not hold a degree from an accredited college or university obtain 15 semester or 22 quarter hours in post-baccalaureate education from an accredited institution. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida. The Board's Order granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-27.001(5), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 3, 2006, by William Ray Barbee. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 47, of the November 22, 2006, F.A.W. Petitioner sought a waiver or variance of subsection 61H1-33.006(1) and (2), F.A.C., entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees" with regard to the requirement that an inactive or delinquent licensee submit additional hours of continuing education in order to reactivate their licenses. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance

or waiver from subsections 61H1-33.006(1) and (2), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 7, 2006, by Dominic Ciarimboli. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 47, of the November 22, 2006, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-33.001(1)(b), F.A.C., entitled "Certified Public Accountants Required to Comply with this Chapter" with regard to the requirement that the licensee submit an additional 8 hours of continuing education if they do not timely meet the initial requirements for continuing professional education within their reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board's Order denied the petition finding that Petitioner failed to establish that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-33.001(1)(b), F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 11, 2006, by Mark Krpan. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 43, of the October 27, 2006, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-31.001(10), F.A.C., entitled "Fees" and the requirement that a licensee pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period. Petitioner also sought a waiver or variance of paragraph 61H1-33.003(1)(b), F.A.C., entitled "Continuing Professional Education" with regard to the requirement that a licensee submit an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's

reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board’s Order partially denied the petition finding that Petitioner failed to establish that the purpose of the underlying statute, Section 473.305, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-31.001(10), F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship. The Board’s Order partially granted the petition, finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-33.003(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on September 9, 2006, by Roxanne Ortiz. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 43, of the October 27, 2006, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-33.006(2), F.A.C., entitled “Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees” with regard to the requirement that an applicant for licensure reactivation complete a specified number of continuing professional education hours in addition to the regular renewal requirements. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board’s Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-33.006(2), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 7, 2006, by Nelson Sabbagh. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 47, of the November 22, 2006, F.A.W. Petitioner sought a waiver or variance of paragraphs 61H1-33.001(1)(a) and (b), F.A.C., entitled “Certified Public Accountants Required to Comply with this Chapter” with regard to allowing for an extension of time of the reestablishment period for submitting continuing education hours. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board’s Order granted the petition conditionally finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraphs 61H1-33.001(1)(a) and (b), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 17, 2007, the Board of Accountancy, received a petition for John F. Lawson, CPA, seeking a variance or waiver of subsection 61H1-29.003(4), Florida Administrative Code, which requires an applicant seeking licensure by endorsement to have experience that includes at least five years experience in the practice of public accounting while licensed as a Certified Public Accountant or Chartered Accountant in the practice of public accounting or as an auditor or accountant in a unit of federal, state, or local government provided that the position held meets the activity and supervision requirements set forth in Section 473.308(4), F.S.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 18, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 19, 2006, by John Michael Hunt. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 3, of the February 9, 2007, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-28.0052(4), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules” with regard to the requirement that a conditioned candidate must pass all four sections of the CPA examination

during the transition period. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, F.S., would be met by granting a variance or waiver from subsection 61H1-28.0052(4), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 24, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 16, 2006, by Natalia Esteban. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 46, of the November 17, 2006, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" with regard to allowing an extension of time for passing all four sections of the CPA examination. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 19, 2006, by Eugene J. Alphonse. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 3, of the January 19, 2007, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-33.003(1)(a), F.A.C., entitled "Continuing Professional Education" with regard to the requirement that in any given reestablishment period, at least 80 hours of continuing education credits must be earned. The Petitioner also sought a waiver or variance of subsections 61H1-31.001(9) and (10), F.A.C., entitled "Fees" which establishes the deadline for submitting the laws and rules examination for licensure renewal and also establishes the fee for a late submission of the Continuing Professional Education reporting form. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance

or waiver from paragraph 61H1-33.003(1)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship. The Petitioner established that the purpose of the underlying statute, Section 473.311, Florida Statutes, would be met by granting a variance or waiver from subsections 61H1-31.001(9) and (10), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 27, 2006, by James N. Bell. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 50, of the December 15, 2006, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-33.003(1)(a), F.A.C., entitled "Continuing Professional Education" with regard to the requirement that a licensee complete at least four hours of Board-approved continuing education credits in ethics within the licensee's reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-33.003(1)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 27, 2006, by Douglas R. Horner. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 50, of the December 15, 2006, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-33.006(2), F.A.C., entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees" with regard to the requirement that required continuing professional education hours have been completed in the 24 months immediately proceeding the date of an application for

reactivation. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida.

The Board's Order denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute, Section 473.311, F.S., would be met by granting a variance or waiver from subsection 61H1-33.006(2), F.A.C. The Board further found that Petitioner had failed to establish that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Acting Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 5, 2006, by Bradley Smith. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 51, of the December 22, 2006, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-33.003(1)(b), F.A.C., entitled "Continuing Professional Education" with regard to the requirement that a licensee complete an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period. The Petitioner also sought a waiver or variance of subsection 61H1-31.001(10), F.A.C., entitled "Fees" which establishes the requirement that a licensee must pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida. The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-33.003(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship. The Petitioner established that the purpose of the underlying statute, Section 473.311, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-31.001(10), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 26, 2007, the Board of Accountancy, received a petition for Jason Darrough, seeking a variance or waiver of paragraph 61H1-28.0052(4)(b), Florida Administrative Code, which requires that a conditioned candidate must pass all four sections of the CPA examination during the transition period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on May 3, 2007, the Department of Health received a Petition for Variance, from Young Chef's Academy, for the use of a certified residential dishwasher, which meets the National Sanitation Foundation (NSF) Standard 184. The Petition seeks relief from subparagraph 64E-11.006(1)(m)3., Florida Administrative Code, which requires a final rinse temperature of either 165 degrees Fahrenheit for a single tank, stationary rack, single temperature machine or 180 degrees Fahrenheit for all other machines; easily readable thermometers installed near the discharge end of the machine to show the final rinse temperature entering the manifold; thermometers that indicate the temperature of the water in all tanks of the machine; and a pressure gauge or suitable gauge cock provided in the rinse line.

A copy of the Petition may be obtained from: Ric Mathis, Bureau of Community Environmental Health Programs, 4052 Bald Cypress Way, Bin #A08 Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

A copy of the Petition for Variance or Waiver may be obtained by contacting Leslie Harris at (850)245-4277.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on April 27, 2007, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: American Opportunity for Housing-Greenview Manor, L.P.

DATE PETITION WAS FILED: March 23, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-21.003(1)(a), subsection 67-21.006(2) and paragraph 67-48.004(1)(a), F.A.C.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION:

F.A.W., April 6, 2007, Vol. 33, No. 14

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE WAIVER: April 27, 2007

THE GENERAL BASIS FOR THE DECISION

The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED:

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on April 27, 2007, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Liberty Center for the Homeless, Inc.

DATE PETITION WAS FILED: December 1, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 9I-35.006(6), F.A.C.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION:

F.A.W., December 15, 2006, Vol. 32, No. 50

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE WAIVER: April 27, 2007

THE GENERAL BASIS FOR THE DECISION

The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED:

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on April 27, 2007, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Oviedo Town Center Partners, Ltd.

DATE PETITION WAS FILED: February 13, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraphs 67-48.004(1)(a), 67-48.004(14)(a) and (b) and subsection 67-48.004(15), F.A.C.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION:

F.A.W., February 23, 2007, Vol. 33, No. 08

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE WAIVER: April 27, 2007

THE GENERAL BASIS FOR THE DECISION

The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED:

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on April 27, 2007, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Pebble Hill Estates Limited Partnership

DATE PETITION WAS FILED: March 8, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.002(83) and Rule 67-48.025 and Paragraph 11 of the 2005, Qualified Allocation Plan

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION:

F.A.W., March 23, 2007, Vol. 33, No. 12

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE WAIVER: April 27, 2007

THE GENERAL BASIS FOR THE DECISION

The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED:

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

A copy of the Order may be obtained by contacting: Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on May 3, 2007, the Florida Housing Finance Corporation, received a petition for waiver or variance of paragraph 67-48.004(18)(j), Florida Administrative Code, from Cutler Manor, LLC. ("Petition"). The Petition is seeking a waiver of the rules to change the number of residential units in its development, and to allow a previously exempt manager/employee unit to maintain its set-aside exemption for use by the Miami-Dade Police Department as a Neighborhood Resource Officer Center.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on May 4, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-48.004(1)(a) and 67-48.004(14)(b) and subsection (15), Florida Administrative Code, from Englewood Senior Limited Partnership. ("Petition"). The Petition is seeking a waiver of the rules regarding a waiver from the Application and Selection Process for Developments.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern

Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on May 4, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-48.004(1)(a) and 67-48.004(14)(b) and subsection (15), Florida Administrative Code, from Maple Crest Limited Partnership. ("Petition"). The Petition is seeking a waiver of the rules regarding a waiver from the Application and Selection Process for Developments.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on May 8, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-57.040(1)(k) and 67-57.040(1)(e), Florida Administrative Code, from Liberty Mortgage XVI, LLC ("Petition"). The Petition is seeking a waiver of the rules which provides certain requirements regarding property standards.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on May 9, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of subsections 67-48.002(28) and 67-48.004(14) and (15), Florida Administrative Code, from Madison Manor, Ltd. ("Petition"). The Petition is seeking a waiver of the rules which provides certain requirements regarding Application and Selection Procedures for Development.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered,

comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Division of Library and Information Services** announces a meeting of the Administrators of Multitype Library Cooperatives to which all interested persons are invited.

DATE AND TIME: June 4, 2007, 10:00 a.m. – 3:00 p.m. (Eastern Time)

PLACE: State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Room 307, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss an update and revision to the Library Cooperative Grant program administrative rule; statewide and regional programs; and other topics of mutual interest.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 5 days before the workshop/meeting.

For additional information, or to request special accommodations, please contact: Patricia Romig, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250, (850)245-6629, 205-6629 (Suncom), paromig@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or (800) 955-8770 (Voice).

The **Division of Library and Information Services** announces a meeting of the Administrators of Single County Public Library Cooperatives.

DATE AND TIME: June 7, 2007, 8:30 a.m. – 2:00 p.m. (Eastern Time)

PLACE: State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Room 307, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attendees will have an opportunity to exchange information on current practices and alternative approaches to challenges common to single county public library cooperatives.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 5 days before the workshop/meeting.

For additional information, or to request special accommodations, please contact: Sandy Newell, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6624, 205-6624 (Suncom), snewell@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Friends of the Museums of Florida History, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Greenberg Traurig LLP, 450 South Orange Avenue, Suite 650, Conference Room 6 East, Orlando, Florida 32801, (407)418-2414

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces a public meeting which all persons are invited to attend.

DATE AND TIME: May 30, 2007, 5:00 p.m. – 7:00 p.m.

PLACE: Caribe Royale Orlando, Antiqua Rooms 1 & 2, 8101 World Center Drive, Orlando, Florida

There will be Four Council Subcommittee Meetings:

Improving Educational Outcomes Committee

DATE AND TIME: May 30, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Caribe Royale Orlando, Bonaire Room 1, 8101 World Center Drive, Orlando, Florida

Improving Economic Outcome Committee

DATE AND TIME: May 30, 2007, 1:00 p.m. – 2:00 p.m.

PLACE: Caribe Royale Orlando, Bonaire Room 2, 8101 World Center Drive, Orlando, Florida

Improving Health Outcomes Committee

DATE AND TIME: May 30, 2007, 2:00 p.m. – 4:00 p.m.

PLACE: Caribe Royale Orlando, Antiqua Room 4, 8101 World Center Drive, Orlando, Florida

Legislative Committee

DATE AND TIME: May 30, 2007, 3:00 p.m. – 4:30 p.m.

PLACE: Caribe Royale Orlando, Antiqua Room 3, 8101 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the monthly meeting of this Council, created by Section 16.615, Florida Statutes. The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by contacting Rick Nuss, Chief, Bureau of Criminal Justice Programs at (850)414-3300.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, contact the Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Seed Investigation and Conciliation Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 7, 2007, 9:30 a.m.

PLACE: UF/IFAS Gulf Coast Research and Education Center – Balm, 14625 County Road 672, Wimauma, Florida 33598

GENERAL SUBJECT MATTER TO BE CONSIDERED: To assist in determining the validity of a pending seed complaint and to recommend an equitable settlement if the Council concludes that the seed in question did not perform as represented.

For more information, you may contact: Mr. Dale Dubberly, Chief of the Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, (850)488-3731.

The **Seed Technical Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 7, 2007, 1:30 p.m.

PLACE: UF/IFAS Gulf Coast Research and Education Center – Balm, 14625 County Road 672, Wimauma, Florida 33598

GENERAL SUBJECT MATTER TO BE CONSIDERED: Current State Tropical Soda Apple and Review Regulatory Fees.

For more information, you may contact: Mr. Dale Dubberly, Chief of the Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

The **Feed Technical Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 12, 2007, 10:00 a.m.

PLACE: The Breakers, 1 South County Road, Palm Beach, Florida 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of BSE Program, Update regarding Pet Food Recall, and Review of Regulatory Fees.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Dale Dubberly, Chief of the Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, (850) 488-8731.

The **Florida Citrus Production Research Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 30, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Sebring Agri-Civic Center, 4509 George Blvd., Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting to review, discuss, and establish approval on research proposals for calendar year for 2007-2008, and discussion of general council issues.

If you need special accommodations due to disability or for directions please call Marshall Wiseheart at (850)488-4366.

DEPARTMENT OF EDUCATION

The **Department of Education** announces a hearing on Rule 6A-6.0783, F.A.C., District School Board Exclusive Authority to Sponsor Charter Schools, to which all persons are invited.

DATE AND TIME: June 5, 2007, 10:00 a.m.

PLACE: Orlando, Florida. The exact location will be posted 7 days in advance of the meeting on the Department’s website: www.fldoe.org or you may contact Lynn Abbott at (850)245-9661 for additional information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: An informal roundtable discussion on concerns relating to proposed Rule 6A-6.0783, F.A.C., will be held by the Department to answer questions and receive input by affected parties.

A copy of the agenda may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, FL 32399, (850)245-9661.

For more information, you may contact Carlo Rodriguez, Executive Director, Office of Parental Choice and Independent Education, (850)245-0878.

The State of Florida, **Department of Education**, Education Practices Commission announces an Administrator Hearing Panel and a Teacher Hearing Panel; all persons are invited.

An Administrator Hearing Panel immediately followed by a Teacher Hearing Panel

DATE AND TIME: May 31, 2007, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Embassy Suites Tampa Airport/Westshore, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at the hearings, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards at (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

Additional information may be obtained by writing to: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

The **Florida Center for Advising and Academic Support** (FCAAS) announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2007, 9:30 a.m. – 2:00 p.m.

PLACE: Ralph Turlington Building, Florida Education Center, 325 West Gaines Street, Conference Room 1721/25, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the FCAAS Board will be held to discuss ongoing development and administration of the FACTS.org project.

A copy of the agenda may be obtained by writing: FCAAS, 325 West Gaines Street, Suite 834, Tallahassee, Florida 32399-0400.

Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact Stacie Causey, FCAAS at (850)245-0518, at least seven days in advance so their needs can be accommodated.

The **Florida Covering Kids and Families Coalition** will hold a quarterly meeting of the state Coalition to which all interested persons are invited.

DATE AND TIME: May 22, 2007, 10:00 a.m. – 2:00 p.m.

PLACE: The Lawton and Rhea Chiles Center for Healthy Mothers and Babies, University of South Florida, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative update, Florida KidCare outreach, formalizing subcommittee structure, and finalizing strategic five year plan for the Coalition.

For additional information please contact Jodi Ray at (813)974-3143.

The **Duval County Research and Development Authority** announces a business meeting to which all interested persons are invited.

DATE AND TIME: May 29, 2007, 2:00 p.m. – 3:00 p.m.

PLACE: University of North Florida, University Center, 12000 Alumni Drive, Jacksonville, Florida 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting.

A copy of the meeting agenda may be obtained by contacting: Earle C. Traynham, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

The **Florida Community Colleges Risk Management Consortium** announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, June 7, 2007, 8:00 a.m. – 1:00 p.m.

PLACE: Crowne Plaza, Orlando Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Florida Community College Risk Management Consortium, 5700 S. W. 34th Street, Suite 1205, Gainesville, Fl. 32608, (352)955-2190, ext. 111.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 20, 2007, 9:00 a.m.

PLACE: Entomology and Nematology Building, University of Florida, Natural Area Drive, Gainesville, Florida 32611, (352)392-2484 or (352)392-1901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Termite Workgroup.

A copy of the agenda may be obtained by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development,

Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax (850)414-8436, or go to the web site at www.florida-building.org

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax (850)414-8436, or go to the web site at www.floridabuilding.org

DEPARTMENT OF TRANSPORTATION

The **Florida Seaport Transportation and Economic Development Council** announces a Project Review Group meeting to which all interested persons are invited.

DATE AND TIME: May 29, 2007, 1:00 p.m. – 3:30 p.m.

PLACE: Riverside Hotel, 620 Las Olas Boulevard, Fort Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CITRUS

The Florida **Department of Citrus**, Federal Program Exploratory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 29, 2007, 1:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will meet to review draft findings of federal research and promotion programs and formulate recommendations. The Committee will also discuss any other issues that may properly come before the Committee.

A copy of the agenda may be obtained by contacting Teresa Czerny at (863)499-2500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Bill Jones at (863)499-2500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Teresa Czerny at (863)499-2500.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, June 6, 2007, 8:30 a.m.

PLACE: Park Trammell Building, 1313 North Tampa Street, Room 605, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, FL, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: *June 4, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: June 5, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting the Office of Commission Clerk at (850)413-6770 or writing to: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.florida.psc.com> at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Drug Control**, Seaport Security Standards Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 30, 2007, 10:00 a.m. – 4:00 p.m.

PLACE: Cabinet Meeting Room, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seaport Security.

A copy of the agenda may be obtained by contacting Peggy Lawson, Office of Drug Control, (850)488-9557.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting Peggy Lawson, Office of Drug Control, (850)488-9557. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Peggy Lawson, Office of Drug Control, (850)488-9557.

REGIONAL PLANNING COUNCILS

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 4, 2007, 10:00 a.m.
PLACE: The Westin Resort & Marina, 245 Front Street, Key West, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business.

Executive Committee Meeting

DATE AND TIME: Monday, June 4, 2007, 10:30 a.m.
PLACE: The Westin Resort & Marina, 245 Front Street, Key West, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee Meeting.

A copy of the agenda may be obtained by writing to: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting South Florida Regional Planning Council at (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

WATER MANAGEMENT DISTRICTS

The **R. O. Ranch Inc.**, a Florida non-profit corporation, announces a public meeting to which all persons are invited.

DATE AND TIME: June 7, 2007, 6:30 p.m.

PLACE: Le Chateau, Mayo, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors meeting to consider business including the development of equestrian facilities on Suwannee River Water Management District lands.

A copy of the agenda may be obtained by contacting: Gwen Lord, Administrative Assistant, SRWMD, 9225 CR 49, Live Oak, FL 32060.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Gwen Lord at (386)362-1001 or 1(800)226-1066 (Florida only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gwen Lord, Administrative Assistant, SRWMD, 9225 CR 49, Live Oak, FL 32060.

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, June 12, 2007

8:15 a.m. Chairmen’s Meeting

8:45 a.m. Finance and Administration Committee

10:00 a.m.Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid St. (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of District business including regulatory and non-regulatory matters. Staff may recommend approval of external budget amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting St. Johns River Water Management District by mail or calling (386)329-4500 or on website www.sjrwmd.com.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 29, 2007, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Committee meetings, Board meetings, and Public Hearing: Conduct Committee meetings and Governing Board meeting. A closed attorney-client session will be held during the lunch break.

Governing Board Finance and Administration Budget Workshop Fiscal Year 2008:

DATE AND TIME: Tuesday, May 29, 2007, discussion will commence sometime after 2:00 p.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville. Consideration of draft Fiscal Year 2008 budget. Ad Order 30218.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2007, 4:00 p.m.

PLACE: Nature's Classroom, 13100 Verges Road, Thonotosassa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: GROUND WATER INSTITUTE: Increase water awareness. Ad Order 30218.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 4, 2007, 5:00 p.m.

PLACE: Sumter County Courthouse, 209 North Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: LAKE PANASOFFKEE RESTORATION COUNCIL MEETING: Consider council business. Ad Order 30218.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** announces a public meeting on Rule 40D-8.041, Minimum Flows, F.A.C., to which all persons are invited.

DATE AND TIME: October 30, 2007, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District Headquarters, 2379 Broad Street, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tampa Bay Water has requested a hearing pursuant to Section 120.54(3)(c), F.S., regarding the District's notice of proposed rules to establish minimum flows for the freshwater segment of the Alafia River. A hearing was held November 30, 2006 (noticed in the F.A.W., September 22, 2006, Vol. 32, No. 38, Page 4496) and continued to February 27, 2007 (noticed in the F.A.W., December 22, 2006, Vol. 32, No. 51, Page 6066), and April 24, 2007 (noticed in the F.A.W., March 9, 2007, Vol. 33, No. 10, Page 1146). On April 24, 2007, the hearing was continued to the date, time and place described above.

A copy of the agenda may be obtained by contacting: Karen A. Lloyd, Assistant General Counsel, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, extension 4651.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Dianne Lee, (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Water Resources Advisory Commission (WRAC)** Lake Okeechobee Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 30, 2007, 9:00 a.m. – 3:00 p.m.

PLACE: Clewiston Youth Center, Clewiston Recreation Department, 110 West Osceola Avenue, Clewiston, FL 33440

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding issues of the restoration and protection of Lake Okeechobee; and the Caloosahatchee and St. Lucie Estuaries.

A copy of the agenda may be obtained by contacting Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Groundbreaking Ceremony on the site of the future St. Cloud Field Station

DATE AND TIME: May 30, 2007, 9:00 a.m. – 10:00 a.m.

PLACE: Immediately south of the Osceola County Road and Bridge Department, 3850 Old Canoe Creek Road, St. Cloud FL, 34769

GENERAL SUBJECT MATTER TO BE CONSIDERED: The dedication ceremony for the future St. Cloud Field Station will announce plans to build a full-service field station off of Old Canoe Creek Road in an area that will allow South Florida Water Management District staff to more effectively and efficiently maintain and operate that portion of the Central and Southern Florida Flood Control Project located in the Kissimmee Chain of Lakes and northern portion of the Kissimmee River.

A copy of the agenda may be obtained by contacting Bill Graf at 1(800)250-4250, ext. 3837, seven (7) days before the dedication.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Bill Graf at 1(800)250-4250, ext. 3837. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: District Clerk's office, (561)682-2087.

The Big Cypress Basin Board, **South Florida Water Management District** announces a public meeting which may be conducted by means of, or in conjunction with, communications media technology, specifically by telephonic conference, to which all interested persons are invited.

DATE AND TIME: May 30, 2007, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, 3301 East Tamiami Trail, Naples, Florida. The above address shall be the designated access point for public attendance of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular Basin Board business, including preliminary FY 2008 Basin Budget.

A copy of the agenda may be obtained by writing to: Big Cypress Basin, 2640 Golden Gate Parkway, Suite 205, Naples, Florida 34105, or by calling Kathleen Tetrault at (239)263-7615.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Kathleen Tetrault, (239)263-7615, at least forty-eight (48) hours before the meeting to make appropriate arrangements. Those persons who desire more information, or those wishing to submit written or physical evidence may contact: Kathleen Tetrault, Big Cypress Basin, 2640 Golden Gate Parkway, Suite 205, Naples, Florida 34105, (239)263-7615.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces an Allocation Technical Working Group meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 5, 2007, 9:00 a.m. – Until completion

PLACE: Savannah Grande Conference Center, 301 North Main Street, Gainesville, FL 32601, (352)378-4213. Conference Call Number: 1(888)808-6959, Conference Code: 34767

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review proposed data elements for future funding allocations. In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Nikki Smith at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, 1(800)983-2435 or (850)410-5700.

The meeting is subject to change upon chairperson’s request.

The Florida **Commission for the Transportation Disadvantaged** announces a Public Hearing to which all persons are invited.

DATE AND TIME: Tuesday, June 5, 2007, 5:30 p.m. – Until completion

PLACE: Savannah Grande Conference Center, 301 North Main Street, Gainesville, FL 32601, (352)378-4213. Conference Call Number: 1(888)808-6959, Conference Code: 34767

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hear comments from the public concerning the Transportation Disadvantaged Program.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in the meeting or an agenda should contact Niki Branch at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson’s request.

The Florida **Commission for the Transportation Disadvantaged** announces a Commission Business Meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 6 2007, 10:00 a.m. – Until completion

PLACE: Savannah Grande Conference Center, 301 North Main Street, Gainesville, FL 32601, (352)378-4213. Conference Call Number: 1(888)808-6959, Conference Code: 34767.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Commission business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Nikki Smith at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson’s request.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Florida Local Advocacy Council in Service**, Area 15 announces meetings for all Local Advocacy Council members, including the Chair and Vice-Chair, and administrative office staff. Parts of the meetings are open to the public.

MULTI-PROGRAM COUNCIL

DATES AND TIMES: Second Thursday of each month, July 12, 2007; August 9, 2007; September 13, 2007; October 11, 2007; November 8, 2007; December 13, 2007, 10:00 a.m.; Open Session, 1:00 p.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Room 110, Ft. Myers, FL (Please call 1(800)342-0825 to confirm the time and place of the meetings)

SARASOTA MULTI-PROGRAM COUNCIL

DATES AND TIME: First Thursday of each month, July 5, 2007; August 2, 2007; September 6, 2007; October 4, 2007; November 1, 2007; December 6, 2007, 10:00 a.m.

PLACE: Special Olympics Gene Whipp Center, 910 Gulf Coast Blvd., Venice, FL (Please call 1(800)342-0825 to confirm the time and place of the meetings)

DEVELOPMENTAL DISABILITIES COUNCIL

DATES AND TIME: Third Thursday of each month, July 19, 2007; August 16, 2007; September 20, 2007; October 18, 2007; November 15, 2007; December 20, 2007, 10:00 a.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Room 110, Ft. Myers, FL (Please call 1(800)342-0825 to confirm the time and place of the meetings)

MENTAL HEALTH COUNCIL

DATES AND TIME: Second Thursday of each month, July 9, 2007; August 6, 2007; September 3, 2007; October 1, 2007; November 5, 2007; December 3, 2007, 10:00 a.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Room 110, Ft. Myers, FL (Please call 1(800)342-0825 to confirm the time and place of the meetings)

The **Florida Local Advocacy Council in Service**, Area 10 announces meetings for all Local Advocacy Council members, including the Chair and Vice-Chair, and administrative office staff. Parts of the meetings are open to the public.

MULTI-PROGRAM COUNCIL

DATES AND TIME: Fourth Wednesday of each month, July 25, 2007; August 22, 2007; September 26, 2007; October 24, 2007; November 28, 2007; December 26, 2007, 10:00 a.m.

PLACE: Mary Grizzle Building, 11351 Ulmerton Road, Largo, FL (Please call 1(800)342-0825 to confirm the time and place of the meeting)

MENTAL HEALTH COUNCIL

DATES AND TIME: Fourth Wednesday of each month, July 25, 2007; August 22, 2007; September 26, 2007; October 24, 2007; November 28, 2007; December 26, 2007, 2:00 p.m.

PLACE: Mary Grizzle Building, 11351 Ulmerton Road, Largo, FL (Please call 1(800)342-0825 to confirm the time and place of the meeting)

NOTICE OF CANCELLATION – The Agency for Health Care Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: The Agency for Health Care Administration announces the cancellation of the Medicaid Reform Technical Advisory Panel Teleconference on May 18, 2007.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Professions, Board of Auctioneers** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 4, 2007, 9:00 a.m.

PLACE: The Plaza Resort and Spa, 600 North Atlantic Avenue, Daytona Beach, Florida 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-5012.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact the board office at (850)922-5012.

The **Florida Barbers’ Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, July 16, 2007, 9:00 or soon there after

PLACE: Conference Call: 1(888)808-6959; when prompted enter 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular business.

A copy of the agenda may be obtained by contacting: Florida Barbers’ Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0790.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting to which all interested persons are invited.

DATE AND TIMES: May 22, 2007, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: April Hammonds, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or

meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited

DATE AND TIME: Tuesday, June 5, 2007, 9:00 a.m.

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review and approve providers and courses for the ethics renewal.

If you wish to participate in this meeting or receive a copy of the agenda, please contact: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The **Department of Environmental Protection**, Siting Coordination Office announces a hearing to which all persons are invited.

DATES AND TIME: June 5, 2007, 1:00 p.m.; continuing as necessary on June 6-7, 2007

PLACE: Doyle Conner Center, 900 U.S. Highway 27 Southwest, Moore Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Environmental Protection announces an administrative hearing to consider land use issues in the case of Florida Power & Light Company, Glades Power Park, Power Plant Siting Application PA 06-49, DOAH Case No. 06-0005334EPP, OGC Case No. 06-2649. Administrative Law Judge J. Lawrence Johnston will take testimony and evidence regarding land use issues pertaining to the Florida Power & Light Company's Site Certification Application ("SCA") for the proposed Glades Power Park. The Department received the SCA on December 22, 2006. Florida Power & Light Company proposes to construct and operate two 980 megawatt coal-fired units at a site in Glades County. On January 22, 2007, Glades County issued a determination that the Florida Power and Light Company, Glades Power Park, is consistent with existing local land use plans and zoning ordinances in Glades County, pursuant to the Florida Electrical Power Plant Siting Act, Section 403.50665, Florida Statutes. On February 23, 2007, the Department received petitions disputing Glades County's determination. Pursuant to Section 403.508(1), F.S., the sole issue for determination at a land use hearing shall be whether or not the proposed site is consistent and in compliance with

existing land use plans and zoning ordinances. If the administrative law judge concludes that the proposed site is not consistent or in compliance with existing land use plans and zoning ordinances, the administrative law judge shall receive at the hearing evidence on, and address in the recommended order any changes to or approvals or variances under, the applicable land use plans or zoning ordinances which will render the proposed site consistent and in compliance with the local land use plans and zoning ordinances. Pursuant to Section 403.508(3), F.S., parties to the overall site certification proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the water management district, the Department of Environmental Protection, the regional planning council, the local government, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in the site certification proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the site certification proceeding: any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests; to represent labor, commercial, or industrial groups, or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the site certification proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with Administrative Law Judge J. Lawrence Johnston, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant.

A copy of the agenda may be obtained by contacting: Michael Halpin, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Landa Korokous, (850)245-8002. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Halpin, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, June 7, 2007, 7:00 p.m. (ET)

PLACE: Florida Department of Environmental Protection, Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion regarding preparation of Florida's 2007 Statewide Comprehensive Outdoor Recreation Plan (SCORP).

A copy of the agenda may be obtained by contacting: Ms. Patricia Evans Florida Department of Environmental Protection, Division of Recreation and Parks, Office of Park Planning, Mail Station #525, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399, (850)245-3068 or email patricia.evans@dep.state.fl.us

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Ms. Patricia Evans at (850)245-3068. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Marcy Wilson at (850)245-3051 or email marcy.wilson@dep.state.fl.us

DEPARTMENT OF HEALTH

The **Board of Chiropractic Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 8, 2007, 8:30 a.m.

PLACE: Bahia Mar, 801 Seabreeze Boulevard, Ft. Lauderdale, Florida, (954)764-2233

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/chiro/index.html

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Board of Dentistry** announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2007, 9:00 a.m.

PLACE: Department of Health, Building 4052, Room 301, 4052 Bald Cypress Way, Tallahassee, FL 32399-3258, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting Sarah Walls at (850)245-4474, at least five calendar days prior to the meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls at (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Medicine**, Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 31, 2007, 6:00 p.m.

PLACE: Hilton Airport Westshore, 2225 North Lois Avenue, Tampa, FL 33607, (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Board.

A copy of the agenda may be obtained by contacting Gwyn Willis, (850)245-4131, ext. 3532 or www.Gwyn_Willis@doh.state.fl.us

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Board of Medicine**, Probable Cause Panel (North), announces a telephone conference call to which all interested persons are invited.

DATE AND TIME: September 28, 2007, 2:00 p.m.

PLACE: Meet me Number: Contact Florida Board of Medicine at (850)245-4131 for the meet me number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing to: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Board of Podiatric Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 5, 2007, 11:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida, at meet me number (888)808-6959, when prompted enter Conference Code of 9849329103, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/pod/index.html

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Substance Abuse and Mental Health Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: May 30, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Hurston Building (South Tower), Conference Room A, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and information regarding the designation of a receiving facility in District 7.

AGENDA: University Behavioral Center, a private psychiatric hospital located at 2500 Discover Drive, Orlando, FL 32826

NOTE: Persons with disabilities requiring accommodations in order to participate in this event should contact the following person(s) by telephone or in writing: Geovanna Dominguez, 400 West Robinson Street, S-1106, Orlando, Florida 32801, (407)245-0420, ext. 228 or 1(800)955-8771 (TDD/TTY) or 1(800)955-8770 (Voice), by close of business (5:00 p.m.) on Thursday, May 24, 2007.

FOR FURTHER INFORMATION CONTACT: Geovanna Dominguez, 400 West Robinson Street, Suite S1106, Orlando, Florida 32801, (407)245-0420.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Autumn Place Apartments, a 120-unit multifamily residential rental development located on the east side of Davis Road, approximately 3/4 of a mile north of the intersection of Bullard Parkway and Davis Road with a street address of 10410 Davis Road, Tampa, Hillsborough County, 33637. The prospective owner and operator of the proposed development is Foxtrail Acres, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$8,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Wayne Conner at (850)488-4197.

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Bennett Creek Apartments, a 264-unit multifamily residential rental development located 500 feet south of Bowden Road, 1,100 feet east of Salisbury Road, Jacksonville, Duval County, FL 32216. The prospective owner and operator of the proposed development is Bowden Road Housing, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$33,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Chesser Lake Apartments, a 264-unit multifamily residential rental development located on the east side of Jenkins Road at the intersection of Jenkins Road and Graham Road, Fort Pierce, St. Lucie County, FL 34947. The prospective owner and operator of the proposed development is Chesser Lake Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$19,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Cross Creek Apartments, a 256-unit multifamily residential rental development located on the north side of Sligh Avenue, directly north of the intersection of Wood Branch Drive and Sligh Avenue, Tampa, Hillsborough County, FL 33610. The prospective owner and operator of the proposed development is Sligh Avenue Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$17,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Emerson Oaks Apartments, a 96-unit multifamily residential rental development located on the west side of Emerson Road, approximately 800 feet south of the intersection of Cortez Blvd. and Emerson Road, Brooksville, Hernando County, FL 34601. The prospective owner and operator of the proposed development is Emerson Oaks Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$8,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should

be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Hudson Ridge Apartments, a 168-unit multifamily residential rental development located on the south side of SR 52, 800 feet west of the intersection of SR 52 and Lamadera Blvd., Hudson, Pasco County, FL 34667. The prospective owner and operator of the proposed development is Hudson Ridge, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed.

Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Madison View, a 120-unit multifamily residential rental development located on the west side of N. W. 5th Ave., between N. W. 6th Street and N. W. 7th Street, Miami, Miami-Dade County, FL 33136. The prospective owner and operator of the proposed development is Madison Housing, Ltd., 120 Forbes Blvd., Mansfield, MA 02048, or such successor in interest in which The Gatehouse Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Gatehouse Management, Inc., 120 Forbes Blvd., Mansfield, MA 02048. The total tax-exempt bond amount is not to exceed \$13,250,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Magnolia Pointe, a 115-unit multifamily residential rental development located on Fiske Blvd. at the northeast corner of Fiske Blvd. and Barbara Jenkins Street, Cocoa, Brevard County, FL 32922. The prospective owner and operator of the proposed development is Magnolia Pointe, LP, 7000 Central Parkway, NE, Suite 1100, Atlanta, GA 30328, or such successor in interest in which Ambling Development Partners, LLC and the Housing Authority of the City of Cocoa, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the

proposed development is Ambling Management Company, 7000 Central Parkway, NE, Suite 1100, Atlanta, GA 30328. The total tax-exempt bond amount is not to exceed \$9,400,000. All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Majestic Oaks Apartment Homes, a 240-unit multifamily residential rental development located on Harney Road, approximately 275 feet north of the intersection of Harney Road and E. Hillsborough Ave. and on Harney Road, approximately 150 feet north of the intersection of Harney Road and E. Hillsborough Ave., Tampa, Hillsborough County, FL 33610. The prospective owner and operator of the proposed development is 6410 Hillsborough Apartments, LLC, 101 East Kennedy Blvd., 6th Floor, FL 1-400-06-08, Tampa, FL 33602, or such successor in interest in which Banc of America Community Development Corporation, or an affiliate thereof, is a managing member, general partner and/or controlling

stockholder. The prospective manager of the proposed development is JMG Housing Group, LLC, 2174 Harris Avenue NE, Suite 7, Palm Bay, FL 32905. The total tax-exempt bond amount is not to exceed \$16,935,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Mariner’s Cay Apartments, a 160-unit multifamily residential rental development located on the northwest corner of Lamson Ave. and Northcliffe Blvd., Spring Hill, Hernando County, FL 34608. The prospective owner and operator of the proposed development is Lamson Avenue Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor

in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$12,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Ocala Place Apartments, a 40-unit multifamily residential rental development located on N. W. 1st Ave., approximately 842 feet north of the northeast intersection of N. W. 1st Ave. and CR 200A, and on N. W. 1st Ave., approximately 975 feet

north of the northeast intersection of N. W. 1st Ave. and CR 200A with a street address of 2135 N. W. 1st Ave., Ocala, Marion County, FL 34475. The prospective owner and operator of the proposed development is SP Ocala Place Preservation Partnership LP, 25400 US Hwy. 19 North, Suite 154, Clearwater, FL 33763, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is New Horizons Management, LLC, Edgewood Management Corporation, 78403 Colesville Road, Suite 400, Silver Springs, MD 20910. The total tax-exempt bond amount is not to exceed \$1,550,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Remington Park Apartments, a 220-unit multifamily residential rental development located on the east side of Fern Hill Drive, approximately 1,880 feet south of the intersection of Gibsonton Drive and Kenlake Drive, Riverview, Hillsborough County, FL 33569. The prospective owner and operator of the proposed development is Fern Hill Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$15,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Plantation Commons, a 95-unit multifamily residential rental development located on the northwest corner of the intersection of Sunrise Blvd. and N. W. 45th Ave., Plantation, Broward County, FL 33312. The prospective owner and operator of the proposed development is Sunrise Boulevard Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$9,200,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Plant City Palms Apartments, a 48-unit multifamily residential rental development located on E. Alsobrook Street at the northwest corner of E. Alsobrook Street and S. Morgan Street, Plant City, Hillsborough County, FL 33563. The prospective owner and operator of the proposed development is SP Plant City Palms LP, 25400 US Hwy. 19 North, Suite 154, Clearwater, FL 33763, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is New Horizons Management, LLC, Edgewood Management Corporation, 78403 Colesville Road, Suite 400, Silver Springs, MD 20910. The total tax-exempt bond amount is not to exceed \$4,795,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Pensacola Village Apartments, a 200-unit multifamily residential rental development located on E. Fairfield Drive, approximately 395 feet east of the northeast corner of the intersection of E. Fairfield Drive and N. Davis Hwy. and on E. Fairfield Drive, approximately 395 feet east of and 1025 feet north of the northeast corner of the intersection of E. Fairfield Drive and N. Davis Hwy with a street address of 500 E. Fairfield Drive, Pensacola, Escambia County, FL 32503. The prospective owner and operator of the proposed development is CEC Pensacola Village, LLC, 151 Summer Street, Somerville, MA 02143, or such successor in interest in which Created Equal Communities, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$10,200,000.00.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Pine Grove Apartments, a 168-unit multifamily residential rental development located on the west side of Powers Avenue, 500 feet north of the intersection of Powers Avenue and Toledo Road, Jacksonville, Duval County, FL 32217. The prospective owner and operator of the proposed development is Powers Avenue Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

St. James Place, a 126-unit multifamily residential rental development located on Crescent Oaks Place, approximately 100 feet west of the northwest corner of the intersection of 127th Ave. E and N. 15th Street, and on Crescent Oaks Place, approximately 150 feet west of the northwest corner of the intersection of 127th Ave. E and N. 15th Street, and on Crescent Oaks Place, approximately 175 feet west of the northwest corner of the intersection of 127th Ave. E and N. 15th Street, and on Crescent Oaks Place, approximately 250 feet west of the northwest corner of the intersection of 127th Ave. E and N. 15th Street, and on Crescent Oaks Place, approximately 250 feet west and 150 feet north of the northwest corner of the intersection of 127th Ave. E and N. 15th Street, and on Crescent Oaks Place, approximately 300 feet west of the northwest corner of the intersection of 127th Ave. E and N. 15th Street, and on Crescent Oaks Place, approximately 350 feet west of the northwest corner of the intersection of 127th Ave. E and N. 15th Street with a street

address of 12614 Crescent Oaks Place, Tampa, Hillsborough County, FL 33612. The prospective owner and operator of the proposed development is SP St. James LP, 25400 US Hwy 19 North, Suite 154, Clearwater, FL 33763, or such successor in interest in which Southport Financial Services, Inc. and Innovative Community Concepts, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is New Horizons Management, LLC, Edgewood Management Corporation, 78403 Colesville Road, Suite 400, Silver Springs, MD 20910. The total tax-exempt bond amount is not to exceed \$7,400,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Taylor Apartments, a 101-unit multifamily residential rental development located on E. 15th Street, approximately 80 feet east of the northeast corner of the intersection of E. 15th Street and Clarcona Road, and on E. 15th Street, approximately 280 feet east of the northeast corner of the intersection of E. 15th Street and Clarcona Road, and on E. 15th Street, approximately 400 feet east and 200 feet north of the northeast corner of the intersection of E. 15th Street and Clarcona Road with a street address of 131 E. 15th Street, Apopka, Orange County, FL 32703. The prospective owner and operator of the proposed development is CEC Taylor Apartments, LLC, 151 Summer Street, Somerville, MA 02143, or such successor in interest in which Created Equal Communities, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$4,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Timber Trace, a 116-unit multifamily residential rental development located on N. 58th Street, approximately 120 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 240 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 360 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 510 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 630 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 630 feet south of the southeast corner of the intersection of N. 58th Street and 122nd Ave. E with a street address 11716 N. 58th Street, Tampa, Hillsborough County, FL 33617. The prospective owner and operator of the proposed development is CEC Timber Trace, LLC, 151 Summer Street, Somerville, MA 02143, or such successor in interest in which Created Equal Communities, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$5,800,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 31, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Willow Lakes, a 304-unit multifamily residential rental development located on Hare Ave., approximately 135 feet west from the southwest corner of the intersection of Hare Ave. and Pecan St., and on Hare Ave., approximately 1,100 feet east from the northeast corner of the intersection of N. Arlington Ave. and Hare Ave., and on Hare Ave., approximately 850 feet east from the northeast corner of the intersection of N. Arlington Ave. and Hare Ave., and on Hare Ave., approximately 550 feet east from the northeast corner of the intersection of N. Arlington Ave. and Hare Ave., and on Hare Ave., approximately 350 feet east from the northeast corner of the intersection of N. Arlington Ave. and Hare Ave., and on India Ave., approximately 1,000 feet east of the northeast corner of the intersection of N. Arlington Ave. and India Ave., and on India Ave., approximately 800 feet east of the northeast corner of the intersection of N. Arlington Ave. and India Ave., and on India Ave., approximately 750 feet east of the northeast corner of the intersection of N. Arlington Ave. and India Ave., and on India Ave., approximately 350 feet east of the northeast corner of the intersection of N. Arlington Ave. and India Ave., and on Jasper Ave., approximately 550 feet west of the northwest corner of the intersection of Jasper Ave. and Pecan St., and on Kona Ave. at the northwest intersection of Kona

Ave. and Pecan St., with a street address of 7703 Hare Avenue, Jacksonville, Duval County, FL 32211. The prospective owner and operator of the proposed development is CEC Willow Lakes, LLC, 151 Summer Street, Somerville, MA 02143, or such successor in interest in which Created Equal Communities, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$9,800,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 30, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 7, 2007, 4:00 p.m.

PLACE: Hyatt Regency Airport, 9300 Airport Boulevard, Orlando, FL 3282

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the 2006 Audited Financial Statements of Florida Housing Finance Corporation with the Board of Directors and respond to any comments or questions from the Florida Housing Finance Corporation Board of Directors.

A copy of the agenda may be obtained by contacting Juanita Boothe-Thompson at (850)488-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting Juanita Boothe-Thompson at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2007, 9:00 a.m. – Until adjourned

PLACE: Hyatt Regency Orlando Airport, 9300 Airport Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.

- 16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
- 17. Consideration of workouts or modifications for existing projects funded by the Corporation.
- 18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
- 19. Consideration of funding additional reserves for the Guarantee Fund.
- 20. Consideration of audit issues.
- 21. Evaluation of professional and consultant performance.
- 22. Such other matters as may be included on the Agenda for the June 8, 2007, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, or by visiting the Corporation’s website at www.floridahousing.org, approximately two days before the meeting.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Sheila Freaney at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** and the **Department of Wildlife Ecology, IFAS/University of Florida** announces a public meeting to which all persons are invited.

DATES AND TIMES: June 6, 2007, 10:00 a.m.; June 7, 2007, 9:00 a.m.

PLACE: Crowne Plaza Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812, (407)856-0100, Fax (407)855-7991

GENERAL SUBJECT MATTER TO BE CONSIDERED: The successful implementation of the Florida’s Comprehensive Wildlife Conservation Strategy (CWCS) depends upon effective interactions with and among stakeholders. This conference aims to build a valuable forum where diverse interest groups and FWC could come together to promote understanding, dialogue and partnerships for comprehensive

conservation in Florida. It will offer an opportunity to address important trends and identify overarching issues in fish and wildlife management and conservation.

WHO SHOULD ATTEND: This top level conference is a ‘must attend’ for every sector of the conservation spectrum which is concerned about the future of Florida’s wildlife:

- Conservation;
- Business, commercial and development;
- Wildlife and land management; Marine and freshwater fisheries;
- Agriculture, Forestry and Mining;
- Tourism;
- Angler and Hunter organizations;
- Citizen and recreational organizations.

The conference will be an opportunity for informal, non-issue, non-confrontational dialogue on habitat protection, identification of impediments and gaps to partnership formation, green development tools and resources, regulations and incentive driven actions, public-private partnerships among others.

A copy of the agenda may be obtained by contacting: Florence Sergile at fsergile@ufl.edu, (352)226-1251.

The **FWC** announces a workshop on Rule 68D-24.109, Withlacoochee River Boating Restricted Areas, F.A.C., to which all persons are invited.

DATE AND TIME: June 19, 2007, 5:30 p.m. – 7:30 p.m.

PLACE: Citrus County Lecanto Government Building, 3600 West Sovereign Path, Room 280, Lecanto, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed changes to rules within this chapter are to: (1) correct and update locations of boating safety zones which are subject to flood status along the Withlacoochee River; (2) improve clarity and consistency of language and definitions; (3) remove or revise obsolete locations of zones; and (4) respond to requests for revisions received from stakeholders and from other governmental entities. The anticipated effects include the automatic regulation of areas along the Withlacoochee River when high water threatens to create hazards to navigation (i.e., submerged docks, stumps, etc.) homes, septic services, where possible. Other anticipated effects include the permanent installation of markers, which would provide year round boating safety information and during times of flooding would advise boaters of the required speed of vessel operation.

A copy of the agenda may be obtained by contacting: Ms. Tara Alford, Management Analyst, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399 or (850)410-0656, extension 17169.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

The **Division of Workers' Compensation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 14, 2007, 3:00 p.m.

PLACE: Florida Department of Financial Services, 200 East Gaines Street, Room 116 Larson Bldg., Tallahassee, Florida, 32399-033

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Financial Services, Division of Workers' Compensation, announces a meeting of the workers' compensation Three-Member Panel to which all interested persons are invited to attend. The purpose of this meeting is the revisions to Sections VIII. B., VIII. E., IX. A., IX. D., IX. E., and X. B. of the proposed Workers' Compensation Reimbursement Manual for Hospitals, 2006 Edition.

A copy of the agenda may be obtained by contacting: Jim Watford, Actuary, Property and Casualty Product Review, Florida Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida, 32399-4226, (850)413-3146.

Please note, that if a person decides to appeal any decision made by the three-member panel with respect to any matter considered at this meeting or hearing, the person will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Department intends to have a court reporter present to record the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Department of Financial Services, Denielle Petty at (850)413-5312. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation** announces its quarterly Grant Committee meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2007, 8:30 a.m. – 9:30 a.m.

PLACE: Florida Sports Foundation, 2930 Kerry Forest Parkway, Suite 101, Tallahassee, FL 32309. Call In Number: 1(888)808-6959 (Toll Free), Conference Code: 4888347.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Committee meeting.

Please make note that if a person decides to appeal any decision made by the Golf Grant Committee with respect to any matter considered at the above-cited meeting or hearing, he/she will need to insure that a verbatim record of the proceedings is made, which recorded includes the testimony and evidence upon which appeal is to be based.

FLORIDA PORTS FINANCING COMMISSION

The **Florida Ports Financing Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: May 29, 2007, 3:45 p.m. – 5:30 p.m.

PLACE: Riverside Hotel, 620 Las Olas Boulevard, Fort Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

FLORIDA PORTS COUNCIL

The **Florida Ports Council** announces a meeting to which all interested persons are invited.

DATE AND TIME: May 30, 2007, 9:30 a.m. – 5:00 a.m.

PLACE: Riverside Hotel, 620 Las Olas Boulevard, Fort Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

The **Florida Seaport Transportation and Economic Development Council** announces a meeting to which all interested persons are invited.

DATE AND TIME: May 31, 2007, 9:00 a.m. – 1:00 p.m.
PLACE: Riverside Hotel, 620 Las Olas Boulevard, Fort Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION

The **FWCJUA** announces an Operations Committee teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: May 30, 2007, 10:00 a.m.
PLACE: To participate in the teleconference meeting, please contact Kathy Coyne, (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of minutes; legislative update; reorganization issues to include business priorities and out-of budget expense considerations; disaster recovery matters; 2006 operations review; budgeted expense considerations; and preliminary audit results of service provider.

A copy of the agenda may be obtained from the FWCJUA’s website, www.fwcjua.com or by contacting Kathy Coyne at (941)378-7408.

The **FWCJUA** announces a Producer Appeals Committee meeting to which all interested parties are invited to attend.

DATE AND TIME: June 11, 2007, 3:00 p.m.
PLACE: FWCJUA Office, 6003 Honore Avenue, Suite 204, Sarasota, FL 34238

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of the minutes and the Executive Director’s decision to revoke an agency’s and producer’s authorization to submit business to the FWCJUA.

A copy of the agenda may be obtained from the FWCJUA’s website, www.fwcjua.com or by contacting Kathy Coyne at (941)378-7408.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 30, 2007, 1:30 p.m.
PLACE: SRB Trustee Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing to: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact Ms. Barbara Sawyer by Friday, May 25, 2007.

FLORIDA MUNICIPAL PENSION TRUST FUND

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2007, 11:00 a.m.
PLACE: Marriott Boca Raton at Boca Center, 5150 Town Center Circle, Boca Raton, Florida, (561)392-4600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

Joint Meeting
DATE AND TIME: Thursday, May 31, 2007, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext. 277.

FLORIDA MUNICIPAL INVESTMENT TRUST

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2007, 2:00 p.m.
PLACE: Marriott Boca Raton at Boca Center, 5150 Town Center Circle, Boca Raton, Florida, (561)392-4600

Joint Meeting

DATE AND TIME: May 31, 2007, 1:00 p.m.
PLACE: Marriott Boca Raton at Boca Center, 5150 Town Center Circle, Boca Raton, Florida, (561)392-4600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

Joint Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext. 277.

FLORIDA MUNICIPAL LOAN COUNCIL

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2007, 2:30 p.m.
PLACE: Marriott Boca Raton at Boca Center, 5150 Town Center Circle, Boca Raton, Florida, (561)392-4600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext. 277.

SAIN ASSOCIATES

Sain Associates announces a public hearing concerning SR 94/S.W. 88 Street/Kendall Drive Roadway Improvement Project, to which all persons are invited.

DATE AND TIMES: Tuesday, June 12, 2007, 6:00 p.m. – 8:00 p.m.; Formal presentation, 7:00 p.m.

PLACE: West Kendall Regional Library, The Hammocks Town Center, 10201 Hammocks Blvd., Miami, FL 33196

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design,

social, economic, and environmental effects of the proposed project known as Kendall Town Center Offsite Improvements, North Kendall Drive Widening. The project extends from S. W. 162 Avenue to S. W. 151 Avenue/Hammocks Boulevard on North Kendall Drive/S. W. 88 Street (SR 94). The Project Development and Environmental study addresses the safety, mobility, community needs of the corridor. Potential improvements include the widening of North Kendall Drive from four lanes to six lanes with a raised median. This project is being developed in compliance with Titles VI and VIII of the Civil Rights Act.

A copy of the agenda may be obtained by writing to: Ms. Alicia Bailey., P.E., 244 West Valley Avenue, Suite 100, Birmingham, Alabama 35209, 1(800)288-6420, ext. 2169.

Anyone needing project or public hearing information including a copy of the hearing agenda, or special accommodations under the Americans with Disabilities Act of 1990 should write to the address or call telephone number given above. Special accommodation requests under the Americans With Disabilities Act should be made at least seven (7) days prior to the public hearing.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: June 14, 2007, 8:00 a.m.
PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

EARLY LEARNING ADVISORY COUNCIL

The **Early Learning Advisory Council** will be having their next meeting to which all interested persons are invited.

DATE AND TIME: June 15, 2007, 9:00 a.m. – 3:00 p.m.
PLACE: Embassy Suites Hotel Deerfield Beach Resort, 950 Ocean Drive, Deerfield Beach, FL 33441. Reservations can be made at (954)426-0478. Please reference the group “Office of Early Learning” in order to receive the special group rate of \$99 per night.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Clark Stranahan, on behalf of National Council of Architectural Registration Boards and C4 Architecture, L.L.C. on August 1, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-162. The Commission determined that Sections 104.11, 903.2.8 and 910, Florida Building Code, Building Volume (2004 as amended 12/05), require the installation of smoke and heat venting in a 187,167 square foot industrial warehouse, a building classified as having Group S-1 Occupancy that stores 30 feet of high-piled combustibles, even if the warehouse is protected by an Early Suppression Fast-Response (ESFR) sprinkler, unless the building official allows an alternative design or method to be used pursuant to section 104.11, Florida Building Code, Building.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Clark Stranahan, on behalf of National Council of Architectural Registration Boards and C4 Architecture, L.L.C. on August 1, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-175. The Commission determined that 400 feet is the allowable Exit Access Travel Distance pursuant to Table 1015.1, Florida Building Code, Building Volume (2004 as amended 12/05), for buildings classified as having Group S-1 or F-1 Occupancies when smoke and heat vents are installed.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Jeff Alloway, on behalf of U.S. Air Conditioning on August 1, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-176. The Commission determined that changing the air handling unit of a split system air conditioner is a major replacement, not a repair as contemplated by Section 202, Florida Building Code, Existing Building Volume (2004 as amended 12/05). However, Sections 13-101.6, Florida Building Code, Building Volume, and 509.1, Florida Building Code, Existing Building Volume, and 301.11, Florida Building Code, Mechanical Volume (all 2004 as amended 12/05), allow replacement of system components in such a manner as to preserve the original approval or listing. Therefore, the combined efficiency is not required to meet the minimum efficiency listed for that type of equipment in Table 13-607.1.ABC.3.2A, Florida Building Code, Building, but needs to comply with the standards in effect at the time the unit was installed.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Michael P. Morris, on behalf of Roll-A-Cover International on August 1, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-179. The Commission determined that the retractable self-standing metal enclosures manufactured by the Petitioner are custom fabricated buildings within the meaning of Section 553.842(10), F.S., and as such are outside the scope of Rule 9B-72.005, F.A.C., and do not require separate approval for each individual building. Components of the custom built building, such as the deck-roof, wall/siding, windows and doors, are within the scope of Rule 9B-72.005, F.A.C., and approval for these components may be obtained at the local level or through the Commission.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Gordon G. Lyle, on behalf of R2 SELF, Incorporated on July 13, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-180. The Commission determined that Section 311.5.3.2, Florida Building Code, Residential Volume (2004 as amended 12/05) requires that the maximum stair riser height must be 7 3/4 inches and the minimum tread depth, exclusive of nosing, must

not be less than 9 inches. As an option, this section allows treads and risers to be proportioned so that the sum of two risers and a tread, exclusive of projection of nosing, is not less than 24 inches nor more than 25 inches, provided the measurements specified are accomplished.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by James S. Luke, on behalf of Rolf Jensen & Associates on August 1, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-181. The Commission determined that if a new 340,000 square foot addition is built on an existing 800,000 square foot furniture storage warehouse that was completed under the 2001 Florida Building Code and is fully sprinklered, including in-rack sprinklers, but which does not have an Early Suppression Fast-Response (ESFR) system, roof vents or draft curtains, and is of Group S-1 and Type II-B construction as defined by the 2004 edition of the Florida Building Code (2004 as amended 12/05), both the existing building and the addition will be required to provide for smoke and heat vents and an automatic sprinkler system. In order for the proposed project to be built following the unlimited area provisions of Section 507.2 or Table 503, Florida Building Code, Building Volume (2004 as amended 12/05), both the existing warehouse must meet the requirements of Section 507.2 or be of Type I-A construction.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Warren Schaefer, P.E. on August 18, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-200. The Commission determined that rational engineering analysis cannot be used in lieu of standard testing of anchoring materials proposed as substitutes for the materials specified in the manufacturer's installation instructions for non-impact resistant aluminum clad wood sliding doors and impact resistant aluminum clad wood swing doors, except that local projects may have specific product approval in accordance with alternate methods and materials authorized in the code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Warren Schaefer, P.E. on August 18, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-201. The Commission found that the determination of a wind load tributary area for window, door and shutter systems is subject to accepted engineering practices, and the determination of what constitutes accepted engineering practice is beyond the jurisdiction of the Florida Building Commission.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Steve Munnell, Executive Director on behalf of the Florida Roofing Sheet Metal & Air Conditioning Contractors Association, Inc. on August 28, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-212. The Commission determined that the Florida Building Code (2004 as amended 12/05) permits both the "L" flashing method and step flashing to be installed against sidewalls on residential construction inside the High Velocity Hurricane Zone (HVHC), and outside the HVHC allows step flashing to be installed against sidewall on residential construction, allows continuous "L" flashing; other installation methods may be allowed by the building official.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Bruce Kaiser, on behalf of WindTripper Corporation on August 30, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-215. The Commission determined that aftermarket airfoil devices which attach longitudinally to the fascia around the perimeter of a building's roof are not subject to product approval because they are not within the scope of Chapter 9B-72, F.A.C.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Eddie Fischer, on behalf of the FTP Plastic Accessories for Construction S.A. ve C.V. on September 01, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-216. The Commission determined that the Petitioner's product, plastic accessories which reinforce concrete in rebar and mesh applications used for building construction, do not require Florida Product Approval, pursuant to Chapter 9B-72, F.A.C., because the product does not fall within any of the enumerated product categories governed by the rule, nor is it a product or system which comprises the building envelope and structural frame.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Paul B. Dickson, CBO on behalf of the City of Cape Coral on September 6, 2006. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA06-DEC-218. The Commission determined that although the land "footprint" of one of the anchor stores is under separate ownership from the rest of the Coral Walk Shopping Center, the shopping center is a single building for the purposes of measuring fire separation distance and application of the unlimited building area exception, pursuant to sections 507.2 and 702, Florida Building Code, Building Volume (2004 as amended 12/05).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Florida Building Commission has issued an order disposing of the petition for declaratory statement

filed by Kirk Grundahl, P.E., on behalf of Wood Truss Council of America and Gulfstream Development on August 1, 2006. The following is a summary of the agency's disposition of the petition:

The Commission determined that the Florida Building Code (2004 as amended 12/05), which has adopted by reference ANSI/TPI 1-2002, does not require a minimum uniformly distributed attic non-storage live load to be applied concurrently with roof live load or wind load on a residential structure.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from In Re: Petition for Declaratory Statement, Service Animals & Pet Restrictions; Docket Number 2007026793. The petition seeks the agency's opinion as to the applicability of Section 413.08(1)(d), Florida Statutes, as it applies to the petitioner.

Whether Section 413.08(1)(d), Florida Statutes, permits an exception to the association's rule limiting each owner to two pets and precluding a third pet from being classified as a service animal when the animal is for companionship for persons suffering a mental illness like depression.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Acupuncture has received the petition for declaratory statement from Dr. Ken Grey filed on March 13, 2007. The petition seeks the agency's opinion as to the applicability of Rule 64B1-9.007, F.A.C., as it applies to the petitioner.

The Petitioner seeks the Board's interpretation of advertising of Rule 64B1-9.007, F.A.C. The Petitioner requests that the Board issue a Declaratory Statement as to whether under Rule 64B1-9.007, F.A.C., physicians have the right to print "Dr. – A.P. D.O.M" on business cards and promotional materials.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-0750.

The Board of Chiropractic Medicine hereby gives notice that it has received a Petition for Reconsideration and/or for Declaratory Statement filed on May 7, 2007, on behalf of United Automobile Insurance Co. For reasons explained at length in the Petition, the Petitioner requests that the Board reconsider its March 6, 2006, order and render it null and void. A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Paul J. Befanis, M.D., on May 3, 2007. The Petition seeks the Board's opinion as to the applicability of Section 458.331(1)(i), Florida Statutes, as it applies to Petitioner. The Petitioner seeks the Board's interpretation of Section 458.331(1)(i), F.S., with regard to imposition of discipline upon physicians who enter into a potential marketing tool, in which Petitioner donates a \$10.00 contribution to a patient's designated 501(c)(3) charity. The contribution will be made when an existing patient refers a potential patient and the potential patient receives lasik surgery. The Board will consider this petition at its meeting scheduled for June 1-2, 2007, in Tampa, Florida.

Copies of the petition may be obtained by writing: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed April 24, 2007, from Alex P. Stuckey, Jr., Petitioner. The Petition requests a declaratory statement relating to gas fired downdraft commercial cooking appliances. No specific questions are asked.

A copy of the Petition may be obtained by writing to, calling, or faxing: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you, please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has issued a Declaratory Statement on April 27, 2007, in RE: Petition for Declaratory Statement, Sonia Machen, Case # 89161.

The Declaratory Statement offers an interpretation of the Florida Fire Prevention Code and Life Safety Code, and the petitioner is the local enforcing agency. First question is whether fire sprinklers are required on terraces, enclosed on three sides, located in high rise apartment buildings. The question is answered in three parts. If the roof over the described terrace is less than four feet in width, the answer is "no," sprinklers are not required in order to provide full coverage as required in NFPA 13, Section 4.1. If the roof over the described terrace is greater than four feet, and combustible materials of a permanent nature are stored or handled in the area, the answer is "yes." If the roof over the described terrace is greater than four feet in width, sprinklers may be required, at the option of the Fire Marshal, where the overhand is of combustible or limited combustible construction. The second question is whether the answer to the first question would differ if living space existed above the terrace. The answer is "no."

A copy of the Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340 or by e-mailing your request to Lesley.Mendelson@fldfs.com.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project: UF-315, UF/IFAS – FAU Land Transfer Relocation (Davie, FL.)

This project consists of 2 Phases. Phase 1 consists of approximately 70 acres of relocation of existing IFAS facilities. The major components of the project are as follows:

CM Services

- Construction of 4 greenhouses.
• Construction of 3 shade houses.
• Construction of 2 head houses.
• Construction of a termite field laboratory.

- Site development. Includes all of the utility infrastructure, water sewer, irrigation, electrical distribution, service roads, aquatic tank farm, container and storm water management.
• Demolition of existing facilities.
• Relocation of aquatic tank farm.
• Relocation of existing movable temporary buildings.

Phase 2 consists of a major mechanical upgrade of an existing single story building #5001 and addition of a central energy plant building #5052. The Construction plans for Phase 2 are complete and this work would begin immediately while Phase 1 is developed.

The total project budget is \$6,797,160.00, including site improvements, underground utilities, fees, surveys and tests, total building commissioning, furnishings and equipment, and contingencies. Construction shall be "fast-tracked" to July 2007, with an estimated construction budget of \$5,446,464.00. (Silver) LEED (Leadership in Energy and Environmental Design) accreditation by the U.S. Green Building Council is mandatory for the Phase 2 work. LEED EB will be the projects focus.

For Phase 1, listed above. The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Design Development stage and will include production of cost studies and estimates; value engineering; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; and development of a Guaranteed Maximum Price (GMP) proposal based on 100% Construction Documents, for which the design/buildler will be paid a fixed fee. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the agreement, may result in the termination of the construction manager's contract.

For Phase 2, listed above the preconstruction will not apply.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact

Sheet, and other background information. The proposal shall be limited to 40 single-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "CM Qualifications Supplement" (CMQS) proposal. Applications on any other form will not be considered.
4. Resumes, copies of the applicant's contracting license, corporate charter(s) if applicable, proof of the firm's bonding capacity, LEED certification, and other pertinent credentials.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Construction Standards, standard University of Florida Owner-CM agreement, and other project and process information can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Tuesday, June 19, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium / P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)392-1256; Fax: (352)392-6378
Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the discipline of Engineering /Architecture will be required for the project listed below:

Project: UF-315, UF/IFAS-FAU Land Transfer Relocation (Davie, FL)

This project consists of approximately 70 acres of master planning for relocation of existing IFAS facilities. The major components of the project are as follows:

Professional Services

- Survey of existing property for accurate boundary survey, topographic information for master planning and design development.
- Master planning of the site for current phase of funded relocation and future phases.
- Design of all utility infrastructure for the master planned current funded portion. This includes water, sewer, irrigation, electrical distribution, service roads, aquatic tank farm, container nursery and storm water management.
- Design of 2 head house support buildings.
- Design of a field termite building.

The estimated construction budget is approximately \$3,182,160.00. The project will be delivered using the Construction Management method.

The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 40 single-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal with signed certification. Applications on any other form will not be considered.

- 4. Resumes and copies of the applicant's current Professional Registration Certificate(s) from the appropriate governing board, corporate charter(s) if applicable, LEED certification, and other pertinent credentials.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected professional must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The project-specific PQS form, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Thursday, June 21, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
 232 Stadium / P. O. Box 115050
 Gainesville, FL 32611-5050
 Telephone: (352)392-1256
 FAX: (352)392-6378
 Internet: www.facilities.ufl.edu

**CALL FOR PREQUALIFICATION AND BID
 UNIVERSITY OF NORTH FLORIDA, STUDENT UNION**

Elkins Constructors, Inc., Jacksonville, Florida, as Construction Manager, is pre-qualifying suppliers and trade contractors for construction for all work relating to Sitework, Concrete, Structural Steel, Glass and Glazing, Elevators, Mechanical, Plumbing, Fire Protection and Electrical scopes, at the University of North Florida. Qualified trade contractors are needed to complete a corresponding bid package.

Interested parties should request a pre-qualification form by mail, e-mail, or by faxing a letter of interest to:

David Birkelbach
 Elkins Constructors, Inc.
 701 W. Adams Street
 Jacksonville, FL 32204
 Fax: (904)387-1303
 e-mail: davidb@elkinsconstructors.com

Pre-qualified parties may pick up bid packages from Elkins Constructors main office.

Bids are due in Elkins' office by Tuesday, June 12, 2007, 2:00 p.m.

There will be a pre-bid meeting on Wednesday, May 30, 2007, 2:00 p.m., at Elkins' main office.

Elkins Constructors Inc., highly encourages participation by all minority subcontractors, suppliers, vendors, and manufacturers.

**PROCUREMENT OF PROFESSIONAL CIVIL
 ENGINEERING SERVICES FOR CONTINUING
 CONTRACTS**

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from Civil Engineering firms to provide basic engineering services for Continuing Contracts. The firms selected under the Continuing Contracts will be responsible for assigned facility projects having estimated construction costs and study fees not exceeding \$1,000,000 (construction) and \$50,000 (study fees) respectively, as provided for in Section 287.055, Florida Statutes. The contracts will have an initial period of one year with the option to renew for two additional one-year periods. Selection of finalists will be held in accordance with Section 287.055, Florida Statutes.

INSTRUCTIONS

Firms interested in being considered for the Continuing Contracts must submit five (5) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest detailing the firm's competence in various aspects of engineering, including small projects, remodeling, additions, studies, instructional and governmental projects. Include a list of sample projects.
2. A current Professional Qualifications Supplement (PQS) Form AE12 completed by the applicant.
3. A copy of the firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter Certificate showing validation date and designation of professionals qualifying the corporation to practice in the disciplines for which it is applying.
5. A current, completed SF-254.

6. A current, completed SF-255, with resumes of proposed personnel to be assigned.

Submittals must be received no later than 4:00 p.m. (Local Time), Monday, June 18, 2007, and should be mailed or delivered to: Florida School for the Deaf and the Blind, Attn: Mr. John Connor, Purchasing Director, Stores and Receiving, Building 28, 207 N. San Marco Ave., St. Augustine, FL 32084-2799. Facsimile (FAX) submittals are not acceptable and will not be considered.

The results of the short-list and final selection will be posted at: FSDB, Purchasing Department, 207 N. San Marco Ave., Stores and Receiving, Building 28, St. Augustine, FL and may be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Final selection results will also be posted in the F.A.W. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. Information received will be maintained with the project file and will not be returned. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Applicants are advised that plans and specifications for projects may be reused.

**PROCUREMENT OF PROFESSIONAL MECHANICAL,
ELECTRICAL, AND PLUMBING ENGINEERING
SERVICES FOR CONTINUING CONTRACTS**

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from Mechanical, Electrical, and Plumbing engineering firms to provide basic engineering services for Continuing Contracts. The firms selected under the Continuing Contracts will be responsible for assigned facility projects having estimated construction costs and study fees not exceeding \$1,000,000 (construction) and \$50,000 (study fees) respectively, as provided for in Section 287.055, Florida Statutes. The contracts will have an initial period of one year with the option to renew for two additional one-year periods. Selection of finalists will be held in accordance with Section 287.055, Florida Statutes.

INSTRUCTIONS

Firms interested in being considered for the Continuing Contracts must submit five (5) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest detailing the firm's competence in various aspects of engineering, including small projects, remodeling, additions, studies, instructional and governmental projects. Include a list of sample projects.
2. A current Professional Qualifications Supplement (PQS) Form AE12 completed by the applicant.

3. A copy of the firm's current Florida Professional Registration License Renewal.

4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter Certificate showing validation date and designation of professionals qualifying the corporation to practice in the disciplines for which it is applying.

5. A current, completed SF-254.

6. A current, completed SF-255, with resumes of proposed personnel to be assigned.

Submittals must be received no later than 4:00 p.m. (Local Time), Monday, June 18, 2007, and should be mailed or delivered to: Florida School for the Deaf and the Blind, Attn: Mr. John Connor, Purchasing Director, Stores and Receiving, Building 28, 207 N. San Marco Ave., St. Augustine, FL 32084-2799. Facsimile (FAX) submittals are not acceptable and will not be considered.

The results of the short-list and final selection will be posted at FSDB, Purchasing Department, 207 N. San Marco Ave., Stores and Receiving, Building 28, St. Augustine, FL, and may be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Final selection results will also be posted in the F.A.W. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. Information received will be maintained with the project file and will not be returned. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Applicants are advised that plans and specifications for projects may be reused.

**PROCUREMENT OF PROFESSIONAL STRUCTURAL
ENGINEERING SERVICES FOR CONTINUING
CONTRACTS**

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from Structural Engineer firms to provide basic engineering services for Continuing Contracts. The firms selected under the Continuing Contracts will be responsible for assigned facility projects having estimated construction costs and study fees not exceeding \$1,000,000 (construction) and \$50,000 (study fees) respectively, as provided for in Section 287.055, Florida Statutes. The contracts will have an initial period of one year with the option to renew for two additional one-year periods. Selection of finalists will be held in accordance with Section 287.055, Florida Statutes.

INSTRUCTIONS

Firms interested in being considered for the Continuing Contracts must submit five (5) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest detailing the firm's competence in various aspects of engineering, including small projects, remodeling, additions, studies, instructional and governmental projects. Include a list of sample projects.
2. A current Professional Qualifications Supplement (PQS) Form AE12 completed by the applicant.
3. A copy of the firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter Certificate showing validation date and designation of professionals qualifying the corporation to practice in the disciplines for which it is applying.
5. A current, completed SF-254.
6. A current, completed SF-255, with resumes of proposed personnel to be assigned.

Submittals must be received no later than 4:00 p.m. (Local Time), Monday, June 18, 2007, and should be mailed or delivered to: Florida School for the Deaf and the Blind, Attn: Mr. John Connor, Purchasing Director, Stores and Receiving, Building 28, 207 N. San Marco Ave., St. Augustine, FL 32084-2799. Facsimile (FAX) submittals are not acceptable and will not be considered.

The results of the short-list and final selection will be posted at FSDB, Purchasing Department, 207 N. San Marco Ave., Stores and Receiving, Building 28, St. Augustine, FL and may be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Final selection results will also be posted in the F.A.W. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. Information received will be maintained with the project file and will not be returned. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Applicants are advised that plans and specifications for projects may be reused.

Invitation To Bid (ITB)
For a Roofing Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded

below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 5th Floor, Room 513D, 1701 Prudential Drive, Jacksonville, Florida.

BIDS ARE DUE ON OR BEFORE June 20, 2007

AND WILL BE ACCEPTED UNTIL 2:00 p.m.

Districtwide Roof Replacement at Sabal Palm Elementary School No. 239, DCPS PROJECT NO. M-85600, Stage II

SCOPE OF WORK: Install a new metal roof system on Sabal Palm Elementary School No. 239. The estimated construction cost Budgeted Not to Exceed \$1,625,000.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on June 7, 2007, 9:00 a.m., at 129 King Street, Room 37, Jacksonville, Florida 32204. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$75.00 at the office of:

Akel, Logan & Shafer, P.A.
704 Rosselle Street
Jacksonville, Florida 32204

DCSB Point of Contact: Dale Hughes, (904)858-6308

Contract documents for bidding may be examined at:

F.W. Dodge McGraw Hill Plan Room Construction Bulletin
Construction Market Data, Inc. National Association of
Minority Contractors

MBE Participation Goal: 10% Overall

The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids for all construction projects exceeding \$200,000 and electrical projects exceeding \$50,000. Effective May 31, 2003, all Contractors submitting bids must be prequalified with Duval County Public Schools. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools.

Prequalification forms and information may be obtained by contacting: Richard Beaudoin or Ronald A. Fagan, 1701 Prudential Dr., Jacksonville, FL 32207, (904)390-2358 or (904)390-2922, Fax: (904)390-2265, email: beaudoinr@educationcentral.org or Faganr@educationcentral.org.

The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

ATTENTION: All advertisements must contain wording similar to the following if the project is Multi-Year Funded:

The Total Project Budget is \$x,xxx,xxx, however, DCPS has received appropriations totaling only \$x,xxx,xxx. Additional appropriation in the amount of \$x,xxx,xxx is expected next year.

**ARCHITECTS AND VALENCIA'S PRE-QUALIFIED
CONSTRUCTION MANAGEMENT FIRMS**

Valencia Community College on behalf of its District Board of Trustees announces that Professional Services in the disciplines of architecture and construction management will be required for the design and construction of the Valencia Community College and University of Central Florida's Joint Use Facility.

Project and Location: VCC/UCF Joint Use Facility, Valencia Community College West Campus, 1800 S. Kirkman Rd., Orlando, Florida 32811.

The project budget will be approximately \$22,500,000 for planning, design, construction, furnishings and equipment. There will be two separate contracts for this project, one for the Architect (A/E) and one for the Construction Manager (CM).

The project consists of the design and construction of a new joint use facility. The space categories and square footage will be given to the short-listed firms. The solicitation documents that will be released for the project are:

Request for Qualifications No. 06/07-17, A&E Services

Request for Qualifications No. 06/07-18, Construction Management Services

The RFQ for A&E Services will be an open competition for all interested firms. Qualifications for the Construction Management Firms will only be accepted from Valencia's current pre-qualified list of construction management firms. Proposal reviews, selection and interviews will be conducted separately.

This facility will be ready for classes in the Fall of 2009. The selected architect will provide design, construction documents, and administration for the referenced project. Blanket professional liability insurance for the Architect/Engineer will be required for this project in the amount of \$1,000,000 and will be provided as a part of Basic Services.

The above mentioned solicitations (RFQ's) will be posted on the Valencia Community College Procurement Services web site by mid May.

<http://www.valenciacc.edu/procurement/bids.asp>

There will be a pre-submission meeting scheduled for each solicitation.

SELECTION INFORMATION

Selection of finalist for interviews will be made on the basis of architect/engineer and construction manager qualifications separately, including but not necessarily limited to: experience and ability; bonding capacity; cost estimating; qualification of the firm's personnel, willingness to meet time and budget requirements, staff and consultants. Finalists will be provided

with a description of the final interview topics. The Selection Committee may reject all proposals and stop the selection process at any time.

CONSTRUCTION MANAGERS

All construction manager applicants must currently be pre-qualified with Valencia Community College. The current pre-qualified list is posted on our web site and effective through July 1, 2007.

<http://www.valenciacc.edu/procurement/bids.asp>

CONSTRUCTION MANAGEMENT CONTRACT

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be compensated. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Documents. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

CONTACT INFORMATION

Additional information concerning this project and the two forthcoming request for qualifications, may be obtained by contacting Ed Ames, Procurement Director, Valencia Community College, (407)582-5528 or e-mail eames@valenciacc.edu.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

CONSTRUCTION MANAGEMENT SERVICES

The Department of Corrections, Bureau of Procurement and Supply, requests qualifications from CONSTRUCTION MANAGEMENT firms to provide services for the construction of an Annex adjacent to the Mayo Correctional Institution, in Mayo, Florida including future expansion/renovation to the Main Unit. The construction budget is estimated to be \$80,390,000 for the total project. The Annex, estimated to take 24 months is budgeted at \$65,390,000 with funding over a two year period beginning July of 2007, (\$11,500,000 the first year and \$53,890,000 the second year) pending Legislative appropriation of funds. The Expansion/Renovation of the Main Unit is estimated at

\$15,000,000, pending appropriation by the Legislature. The tentative schedule for completion of the Main Unit is August 2009 with completion of the Annex by December 2009. Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Chapter 60D-5, Florida Administrative Code, and the Request for Qualification procedures and criteria which may be obtained from Julyn Hussey at the address and phone number below. Firms interested in being considered for this project are encouraged to attend an information meeting at the Department of Corrections, Central Office, Second Floor, Classroom B, 2601 Blair Stone Road, Tallahassee, Florida, June 6, 2007, 10:00 a.m. (EDT).

To be considered, interested firms must submit an application in accordance with the Request for Qualifications by June 18, 2007, 4:00 p.m. (EDT), faxed submissions are not acceptable. Submit copies of your Statement of Qualification to the Department of Corrections, Attn.: Julyn Hussey, Bureau of Procurement and Supply, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)410-4049.

The State of Florida's performance and obligation to contract for these services are contingent upon annual appropriation by the Legislature.

DEPARTMENT OF MANAGEMENT SERVICES

CONSTRUCTION CONTRACTORS TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES
REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed general contractors, to submit for Construction Management at Risk services on the following projects:
PROJECT NUMBER: JB-27015000
PROJECT NAME: Water Intrusion – Phase II – Supreme Court
LOCATION: Tallahassee, Florida
ESTIMATED BUDGET: TBD
PROJECT NUMBER: JB-26008000 and JB-25016020
PROJECT NAME: Site Hardening – Perimeter Barrier – Supreme Court
LOCATION: Tallahassee, Florida
ESTIMATED BUDGET: 1,500,000.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

INVITATION TO BID

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: DOH # 70645100

SAMAS CODES: 64-39-45-98-507

PROJECT NAME AND LOCATION:

Nassau County Health Department
Five Points Renovations
2290 & 2292 State Road 200 (South 8th Street)
Fernandina Beach, Florida, 32034

FOR: State of Florida, Department of Health – Nassau County Health Department

PRE-QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633, Florida Statutes, for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233 for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of rule requirements is included in the Instructions To Bidders under Article B-2 "Bidders Qualification Requirements and Procedures."

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not do the following:

1. May not submit a bid on a contract to provide any goods or services to a public entity.
2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
3. May not submit bids on leases of real property to a public entity.
4. May not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity.
5. May not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PROJECT DESCRIPTION: The project is to demolition the interior of building 2292 and renovate according to drawings and specifications. The project will also renovate the existing restroom and other office space in 2290.

SITE VISIT: The facilities may be inspected by contacting Jarzyna & Associates at (904)321-4242. A site visit for all interested parties will be conducted on June 5, 2007, 9:00 a.m.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor Material Payment Bond are not required. If the construction contract award amount is more than \$100,000, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: The Department of Health encourages minority businesses to participate in the bidding process including any bidder's conferences, pre-solicitation or pre-bid meetings that are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy and Assistance Office, 2012 Capital Circle, S. E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Tuesday, June 26, 2007, 2:00 p.m. (Local Time)

PLACE: Nassau County Health Department, Administration Building, Conference Room, 30 South 4th Street, Fernandina Beach, FL 32034

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the following: Jarzyna and Associates, Architects PA, Attention Tony Jarzyna, e-mail: jazzman@bellsouth.net or purchase of

documents. Address: Four Juniper Court, Amelia Island, FL 32034, (904)321-4242, Fax (904)321-2029. The above bidding documents are currently available.

ARCHITECT-ENGINEER: Jarzyna and Associates Architects PA, Four Juniper Court, Amelia Island, FL 32034

DEPOSITS: All contractors, sub-contractors, vendors, manufacturers, etc. can obtain the required documents. There is no charge for the first set of Plans and Specifications; each additional set at \$10.00.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 p.m. (Local Time), on Tuesday, June 26, 2007, at the Nassau County Health Department, Administration Building, Conference Room, 30 South 4th St., Fernandina Beach, FL. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures," the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.C., by the Owner. The qualified, responsive low bidder will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However, they will be exempt from the one per cent "fee".

Notice of Bid/Request for Proposal

PROFESSIONAL CONSULTANTS FOR PROFESSIONAL SERVICES FOR ARCHITECTURE – ENGINEERING

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction announces that professional services are required for the project listed below. Applications are to be sent to Ken Tilbury, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin B-06, Tallahassee, Florida 32399-1734, (850)245-4444, ext. *3164.

PROJECT NUMBER: 70706100

PROJECT NAME: Broward (Administration Annex)
CHD – Renovation

SERVICES TO BE PROVIDED: Architectural/Engineering

ESTIMATED CONSTRUCTION BUDGET: The estimated construction budget for this project is \$8,500,000.00 and may be allocated in phased segments. Work may include all aspects of Architectural and Engineering services to provide for construction of repair and renovations to a two story, approximately 24,000 S.F., building. Other associated buildings may be included. Work includes but is not limited to site and asbestos surveys, code compliance modifications, roofing, reconfiguration of interior spaces and replacement of interior finishes; replacement of mechanical / plumbing / fire protection and electrical systems; replacement of exterior

windows, doors and stucco; addition of voice/data and security systems; site improvements include parking, landscaping and a sprinkler system.

RESPONSE DUE DATE: By 4:00 p.m., Thursday, June 7, 2007 (Local Time)

INSTRUCTIONS: Submit three (3) bound copies of the following:

1. Letter of interest.
2. A modified copy of Department of Management Services Professional Qualifications Supplement, October 2004 Edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)245-4066. All forms provided are mandatory for qualification. Substitutions and attachments are not acceptable.
3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 330. For form information see the GSA web site.
6. A stamped self-addressed envelope if you desire notice of selection results.

* Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and may be disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

The qualified, responsive Firm will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However, they will be exempt from the one percent fee.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Proposals are requested from qualified General Contractors by the Florida Department of Children and Families, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 07230420

PROJECT: ROBERTS BUILDING RENOVATIONS
ROBERTS BUILDING
5920 ARLINGTON EXPRESSWAY
JACKSONVILLE, FLORIDA 32211-7192

PREQUALIFICATION: The Owner accepts bids from those firms which demonstrate current relevant licensure with the Florida Department of Business and Professional Registration by submittal of a copy of that license or certificate with their bid and compliance with the pre-qualification requirements as stated hereinbefore and in the project specifications.

The Work Includes Roof Repairs, Rooftop equipment shall be sand blasted or wire brushed by mechanical methods to remove rust and repainted with 2-coats of Aluminum coating, pressure wash existing masonry penthouse walls and reseal, install handicapped automatic doors at ground level main entrance, restroom renovations (1st floor only) per Accessibility Codes, Elevator Modernization, Controls and Accessibility and Fire Codes, Update Fire Alarm per Accessibility Codes, modify heights of existing Pull Stations and Horn/Strobe devices and boxes, conduit and wiring, Interlock to Elevator Fire Service System, Interlock to and add smoke detectors, restroom fixture and wall finish upgrades in 2nd and 3rd floor public restrooms (layout remains as-is), Replace door and hardware, Door hardware retrofit kit from knobs to lever-style handles at Exit Stair doors.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: If the construction award is \$100,000.00 or more, a Performance Bond and Labor and Material Payment Bond are required.

BID DATE AND TIME: Sealed bids will be received at the Roberts Building, 1st Floor Lobby Reception Area, 5920 Arlington Expressway, Jacksonville, Florida on Tuesday, June 12, 2007 until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud in Meeting Room B, #290.

PRE-BID INSPECTION: Pre-bid inspection of the on-site conditions shall be on Thursday, May 31, 2007, 10:00 a.m. (Local Time). Bidders will meet in the 1st Floor, Lobby Reception Area, Roberts Building, 5920 Arlington Expressway, Jacksonville, Florida.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained for \$75.00 non-refundable from the architect:

SKINNER, VIGNOLA McLEAN, INC.

1628 N. W. 6th Street

Gainesville, Florida 32609

Telephone: (352)378-4400

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted at 2:00 p.m. (Local Time), Wednesday, June 13, 2006, at the Roberts Building, 5920 Arlington Expressway, Jacksonville, Florida. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be

otherwise notified. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures" the Owner will award the contract to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.C.

MIAMI BRIDGE YOUTH AND FAMILY SERVICES

COMPETITIVE SEALED BIDS

National School Lunch and Breakfast Program

for All Categories of Food, Paper, Foam and Chemicals, etc.

Sealed bids will be accepted by the Purchasing Department of Miami Bridge Youth and Family Services, Inc. until 2:00 p.m., June 1, 2008, at the office of Miami Bridge Youth and Family Services, Inc., 2810 N. W. South River Drive, Miami, FL 33125, to the attention of Cheryl Marshburn.

Product specification, quantities and service requirements may be obtained by calling the phone number listed below and requesting a National School Lunch and Breakfast Program competitive sealed bids packet. Sealed bid packets will be mailed or e-mailed to intending bidders. Packets will include submission instructions.

The sponsor reserved the right to reject any and all bids, waive informalities, and to accept the lowest and/or best bid response in the judgment of the sponsor's governing board.

All questions concerning this advertisement should be directed to:

Contact person: Cheryl Marshburn

Phone number: (305)242-8214

Fax number: (305)245-6751

Please indicate if you desire to have bid packet mailed or e-mailed.

**Section XII
Miscellaneous**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), MVP Enterprises, Inc., intends to allow the establishment of Affordable Space, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Industry Co. Ltd. (GUNG) at 4129 Old Winter Garden Road, Orlando (Orange County), Florida 32805, on or after May 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Space, Inc. are dealer operator(s): Steven M. Austad, Sr., 4129 Old Winter Garden Road, Orlando, Florida 32805; principal investor(s): Steven M. Austad, Sr., 4129 Old Winter Garden Road, Orlando, Florida 32805.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jeanne Perry, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arizona 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes (2005), Carter Brothers Manufacturing Co., Inc., intends to allow the establishment of Arsenal Pro Racing, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 391 North 1st Avenue, Jacksonville Beach (Duval County), Florida 32250, on or after April 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Arsenal Pro Racing, Inc. are dealer operator(s): Chuck McCue, 1908 3rd Street, Neptune Beach, Florida, 32266; Marie McCue, 1908 3rd Street, Neptune Beach, Florida 32266; principal investor(s): Chuck McCue, 1908 3rd Street, Neptune Beach, Florida, 32266; Marie McCue, 1908 3rd Street, Neptune Beach, Florida 32266.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Mullinax, Carter Brothers Manufacturing Co., Ltd., 1871 Highway 231, Brundidge, Alabama 36010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Big Bear American Made Choppers, Inc., intends to allow the establishment of Axco of Florida, LLC, as a dealership for the sale of Big Bear American Made Chopper motorcycles (BGCH) at 4601 Fowler Street, Fort Myers (Lee County), Florida 33907, on or after May 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Axco of Florida, LLC are dealer operator(s): Paul Skinner, 4601 Fowler Street, Fort Myers, Florida 33907; principal investor(s): Menfred Glanzner, 1434 Argyle Drive, Fort Myers, Florida 33919; Axel Shultz, 926 Third Street, Fort Myers Beach, Florida 33931.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Dena Valenzuela, Big Bear American Made Choppers, Inc., Post Office Box 1741, Big Bear Lake, California 92315.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), LS Motorsports, LLC, intends to allow the establishment of Carriages Unlimited, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Lingyun Motorcycle Co. Ltd. (ZHEL), Jiangsu Linhai Power Machinery Group (LINH), Chongqing Zongshen Group (ZONG) and Chongqing Lifan Industry Group (CHOL) at 5413 South Ridgewood Avenue, Port Orange (Volusia County), Florida 32127, on or after May 7, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Carriages Unlimited, Inc. are dealer operator(s): Kevin Wait, 5413 South Ridgewood Avenue, Port Orange, Florida 32127; principal investor(s): Kevin Wait, 5413 South Ridgewood Avenue, Port Orange, Florida 32127.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS Motorsports, LLC, 12505 Reed Road, Suite 145, Sugar Land, Texas 77478.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), MVP Enterprises, Inc., intends to allow the establishment of Cycles Unlimited, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Industry Co. Ltd. (GUNG) at 302 6th Street Northwest, Winter Haven (Polk County), Florida 33881, on or after May 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Cycles Unlimited, Inc. are dealer operator(s): Jimel Baz, 302 6th Street Northwest, Winter Haven, Florida, 33881; Shane Baz, 302 6th Street Northwest, Winter Haven, Florida 33881; principal investor(s): Jimel Baz, 302 6th Street Northwest, Winter Haven, Florida, 33881; Shane Baz, 302 6th Street Northwest, Winter Haven, Florida 33881.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jeanne Perry, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arizona 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Mitsubishi Motors North America, Inc., intends to allow the establishment of Dick Norris Buick Pontiac GMC, Inc. d/b/a Dick Norris Mitsubishi, as a dealership for the sale of Mitsubishi vehicles (MITS) at 30801 U.S. Highway 19, Palm Harbor (Pinellas County), Florida 34684, on or after June 12, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Dick Norris Buick Pontiac GMC, Inc. d/b/a Dick Norris Mitsubishi are dealer operator(s): Richard H. Norris, 30777 US Highway 19, Palm Harbor, Florida 34684; principal investor(s): Richard H. Norris, 30777 US Highway 19, Palm Harbor, Florida 34684.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Andrew Stewart, Regional Franchise Development Manager, Southeast Region, Mitsubishi Motors North America, Inc., 6488 Currin Drive, Orlando, Florida 32835.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Mod Cycles Corp., intends to allow the establishment of East Coast Cycle Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Qingqi Ningbo Cycles, Inc. (NING) and Decestele S.A. (DECE) at 8242 West State Road 84, Davie (Broward County), Florida 33324, on or after May 7, 2007.

The name and address of the dealer operator(s) and principal investor(s) of East Coast Cycle Motorsports, Inc. are dealer operator(s): Andres Alsina, 8242 West State Road 84, Davie, Florida 33324; principal investor(s): Andres Alsina, 8242 West State Road 84, Davie, Florida 33324.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), MVP Enterprises, Inc., intends to allow the establishment of Grandpa's Cycle Center, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Industry Co. Ltd. (GUNG) at 3596 Fowler Street, Fort Myers (Lee County), Florida 33901, on or after May 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Grandpa's Cycle Center, Inc. are dealer operator(s): Marion Stewart, 3596 Fowler Street, Fort Myers, Florida, 33901; Lynda Stewart, 3596 Fowler Street, Fort Myers, Florida 33901; principal investor(s): Marion Stewart, 3596 Fowler Street, Fort Myers, Florida, 33901; Lynda Stewart, 3596 Fowler Street, Fort Myers, Florida 33901.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jeanne Perry, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arizona 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Piaggio Group Americas, Inc., intends to allow the establishment of Mad Dog Scooters, Inc. d/b/a Mad Dog Motorsports, as a dealership for the sale of Aprilia (APRI) and Moto Guzzi (MOGU) motorcycles at 4400 10th Avenue North, Lake Worth (Palm Beach County), Florida 33461, on or after April 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Mad Dog Scooters, Inc. d/b/a Mad Dog Motorsports are dealer operator(s): Sal Napoli, 4400 10th Avenue North, Lake Worth, Florida 33461; principal investor(s): Sal Napoli, 4400 10th Avenue North, Lake Worth, Florida 33461.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Maserati North America, Inc., intends to allow the establishment of New Country Motor Cars, LLC d/b/a Maserati of Palm Beach, as a dealership for the sale and service of Maserati automobiles at 3978 Okeechobee Boulevard, West Palm Beach (Palm Beach County), Florida 33409, on or after June 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of New Country Motor Cars, LLC d/b/a Maserati Palm Beach are dealer operator(s): Michael J. Cantanucci, 39 Brayton Lane, Lake George, New York 12845; principal investor(s): Michael J. Cantanucci, 39 Brayton Lane, Lake George, New York 12845.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: David M. Wertheim, Maserati North America, Inc., 250 Sylvan Avenue, Englewood Cliffs, New Jersey 07632.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), LS MotorSports, LLC, intends to allow the establishment of Palm City Corporation, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL), Jiangsu Linhai Power Machinery Group (LINH), Zhejiang Lingyun Motorcycle Co. Ltd. (ZHEL) and Chongqing Zongshen Group (ZONG) at 3364 Palm Beach Boulevard, Fort Myers (Lee County), Florida 33916, on or after May 7, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation are dealer operator(s): James Wilson, 3364 Palm Beach Boulevard, Fort Myers, Florida 33916; principal investor(s): James Wilson, 3364 Palm Beach Boulevard, Fort Myers, Florida 33916.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS MotorSports, LLC, 2550 East Desert Inn Road, #40, Las Vegas, Nevada 89121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), MVP Enterprises, Inc., intends to allow the establishment of Pine Woods Center, Inc. d/b/a Pasco Cycle, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Industry Co. Ltd. (GUNG) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after May 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Pine Woods Center, Inc. d/b/a Pasco Cycle are dealer operator(s): Andrew and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jeanne Perry, MVP Enterprises, Inc., Post office Box 1779 Russellville, Arizona 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Yamaha Motor Corporation, USA, intends to allow the establishment of Polaris Powersports of the Nature Coast, Inc. d/b/a Nature Coast Yamaha, as a dealership for the sale of Yamaha motorcycles at 6250 Northwest 126 Place, Chiefland (Levy County), Florida 32626, on or after June 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Polaris Powersports of the Nature Coast, Inc. d/b/a Nature Coast Yamaha are dealer operator(s): Lars Eric Langlo, 55 North Fresno Avenue, Hernando, Florida 34442; principal investor(s): Lars Eric Langlo, 55 North Fresno Avenue, Hernando, Florida 34442, Marion L. Langlo, 604 West Massachusetts Street, Hernando, Florida 34442 and Lars Herbert Langlo, 604 West Massachusetts Street, Hernando, Florida 34442.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Richard Tilley, Legal Counsel, Yamaha Motor Corporation, USA, 6555 Katella Avenue, Cypress, California 90630.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Yamaha Motor Corporation, USA, intends to allow the establishment of Polaris Powersports of the Nature Coast, Inc. d/b/a Nature Coast Yamaha, as a dealership for the sale of Riva Scooters which include products of more than 50cc displacement engines at 6250 Northwest 126 Place, Chiefland, (Levy County), Florida 32626, on or after June 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Polaris Powersports of the Nature Coast, Inc. d/b/a Nature Coast Yamaha are dealer operator(s): Lars Eric Langlo, 55 North Fresno Avenue, Hernando, Florida 34442; principal investor(s): Lars Eric Langlo, 55 North Fresno Avenue, Hernando, Florida 34442, Marion L. Langlo, 604 West Massachusetts Street, Hernando, Florida 34442 and Lars Herbert Langlo, 604 West Massachusetts Street, Hernando, Florida 34442.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Richard Tilley, Legal Counsel, Yamaha Motor Corporation, USA, 6555 Katella Avenue, Cypress, California 90630.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that LS Motorsports, LLC, intends to allow the establishment of Travanna Management, Inc. d/b/a KC Cycle Sports, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL), Chongqing Zongshen Group (ZONG), Jiangsu Linhai Power Machinery Group (LINH) and Zhejiang Lingyun Motorcycle Co. Ltd. (ZHEL) at 313 Commerce Center Drive, Saint Cloud, (Osceola County), Florida 34769, on or after May 7, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Travanna Management, Inc. d/b/a KC Cycle Sports are dealer operator(s): Brian Smith, 313 Commerce Center Drive, Saint Cloud, Florida 34769; principal investor(s): Brian Smith, 313 Commerce Center Drive, Saint Cloud, Florida 34769.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, LS Motorsports, LLC, 12505 Reed Road, Suite 145, Sugar Land, Texas 77478.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Mod Cycles Corp., intends to allow the establishment of West Coast Motorcycles Sales & Service, as a dealership for the sale of motorcycles manufactured by Qingqi Group Ningbo Cycles (NING), Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ), Zongshen Industrial Group (ZONG) and Decestele S.A. (DECE) at 5328 North US Highway 129, Bell (Gilchrist County), Florida 32619, on or after May 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of West Coast Motorcycles Sales & Service are dealer operator(s): Gary E. Hooper, 5328 North US Highway 129, Bell, Florida 32619; principal investor(s): Gary E. Hooper, 5328 North US Highway 129, Bell, Florida 32619.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

NOTICE OF WITHDRAWAL

Notice is hereby given that the publication of Joel Ilesanmi African Art, Inc., d/b/a Sanmi Auto Express as a new point for a Roketa motorcycle (RKTA) franchise dealership in Hillsborough County by Goldenvale, Inc., published in Vol. 33, No. 17, page 1994 of the F.A.W., on April 27, 2007, has been withdrawn.

NOTICE OF WITHDRAWAL

Notice is hereby given that the publication of Discount Scooter, Inc., as a new point for a Roketa motorcycle (RKTA) franchise dealership in Hillsborough County by Goldenvale, Inc., published in Vol. 33, No. 17, page 1993 of the F.A.W., on April 27, 2007, has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

EXECUTIVE OFFICE OF THE GOVERNOR

Grant Announcement for FY 2007-2008 Governor's Discretionary Grants funded through the No Child Left Behind Act of 2001 Title IV, Part A, Subpart 1: Safe and Drug-Free Schools and Communities Act

The Florida Office of Drug Control (ODC) is pleased to announce the FY 2007-2008 competitive discretionary grant program. The purpose of this grant program is to solicit proposals from communities for evidence-based programs or prevention strategies that (1) prevent youth drug use and violence; (2) involve parents and communities; and (3) are coordinated with related state, school and community efforts and resources to foster a safe and drug-free learning environment that promotes student academic achievement.

Eligibility Criteria: Applications will be accepted from nonprofit community organizations, parent groups, anti-drug coalitions, juvenile and probate courts, faith-based organizations and other public and private nonprofit entities with a 501(c)(3) status. Only one application will be accepted by each organization; multiple programs/multiple sites will not be funded.

Target Population: Priority for funding will be given to programs that target youth who are not normally served by their local educational agencies and community organizations. This includes populations that need special services or additional resources such as youth in juvenile detention facilities, runaway or homeless youth, pregnant and parenting teenagers, school dropouts, children of parents in treatment or prison. Special consideration is given to applicants that pursue a comprehensive approach to drug and violence prevention that includes incorporating mental health services related to drug and violence prevention in their program.

Grant Application Amounts: The grant application proposals for fiscal year 2007-08 are capped at \$55,000. The availability of funding is contingent upon annual legislative appropriation. Application Categories for FY 2007-2008: (October 1, 2007 – September 30, 2008)

(A) Community Prevention Programs (Example: Coalitions)

(B) After-School Prevention Programs (Example: Boys and Girls Club)

(C) Alternative Schools (Example: Charter Schools)

(D) Summer Prevention Program

**In-School Youth Prevention Programs will not be considered

E-Grant Applications: All applications must be submitted electronically via the Internet. One signed original and two hard copies of the application must ARRIVE at the Office of Drug Control on or before Monday, June 18, 2007 by 5:00 p.m. EST. Applications submitted in other written formats will not be considered. Prospective applicants may access the electronic application at: <http://simon.fdle.state.fl.us/default.do> Also, continue to access the ODC website, http://www.flgov.com/safe_program, and then click on Drug-Free Communities, for updated information and guidance on the Governor's Discretionary Grant.

Applications

- Applications must be completed online. Online access to the application will be available at 8:00 a.m. EST, Friday, May 11, 2007.

- All applications require a username and password, see below on how to access the SIMON system: New applicants (Those who did not apply for 2006-2007 DFC grant):

Individuals must apply for a SIMON username and password through the SIMON web site <http://simon.fdle.state.fl.us/default.do> Click on the upper right hand corner for the user manual.

Previous applicants with a username and password:

You may use your previously obtained username and password.

Forgot your password?

Have a username but forgot the password click "Forgot your Password"

Follow the directions to reset the password.

Forgot your username?

Email DrugFreeCommunities@fdle.state.fl.us and request this information.

Technical Assistance

Technical assistance conference calls will be held to help prospective applicants better understand the submission process and funding guidelines. Conference calls will walk through the application instructions. Applicants must have a SIMON account PRIOR to calling in. User names, passwords and accounts will not be provided at this time.

Dial-In Number (888)808-6959, Conference Code: 1074273

May 14, 2007, 2:00 p.m. (EST)

May 15, 2007, 10:00 a.m. (EST)

Applications must be prepared in conformance with the instructions. The Office of Drug Control reserves the right to reject any or all subgrant applications received or to cancel this NOFA when to do so would be in the best interests of the State of Florida.

Questions or other inquiries regarding this NOFA should be directed to the Drug-Free Communities Program, Office of Drug Control, drugfreecommunities@fdle.state.fl.us or (850)487-8440.

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

NOTICE OF RECEIPT OF PETITION CAPITAL REGION COMMUNITY DEVELOPMENT DISTRICT

On February 2, 2007, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to adopt an amendment to Rule Chapter 42CC-1, Florida Administrative Code (F.A.C.), to amend the boundary of the Capital Region Community Development District (the "District"). A revision to the petition was submitted on February 14, and March 15, 2007. The Commission will follow the requirements of Chapter 42-1, F.A.C., as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition, as revised.

SUMMARY OF CONTENTS OF PETITION: The petition, as revised, was filed by the Capital Region Community Development District (the "District") with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The petition proposes to modify the land area presently serviced by the District by amending its boundary to remove approximately 1,081.55 acres from the District located within the City of Tallahassee and unincorporated Leon County, Florida. The District currently covers approximately 3,286.94 acres of land and after amendment the District will encompass approximately 2,205.39 acres. There are 2 parcels of land located within the proposed contracted boundaries of the District that are to be excluded from the District. The parcels are owned by the Board of Trustees Internal Improvement Trust Fund, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property located within the contraction parcel.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition, as revised, to establish the District. The complete text of the SERC is contained as Exhibit 10 to the petition, as revised. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of

the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the District, the State of Florida, the City of Tallahassee, and Leon County are principal entities that are likely to be required to comply with the rule. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur administrative costs. The City of Tallahassee and Leon County will incur costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to the City of Tallahassee and Leon County to offset any costs it may incur. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition, as revised, to establish the District will have no impact or a positive impact on small businesses. The petition, as revised, to establish the District will not have an impact on small cities or small counties as defined by Section 120.52(17), F.S., as the City of Tallahassee and Leon County are not defined as a small city or small county. Under section (e), the analysis provided in the SERC was based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated with the developer.

**A LOCAL HEARING WILL BE HELD AT THE TIME,
DATE AND PLACE SHOWN BELOW:**

DATE AND TIME: Tuesday, June 5, 2007, 9:30 a.m.

PLACE: Division of Administrative Hearings
(check the reception area for hearing room assignment)
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Brian Crumbaker, (850)222-7500, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition, as revised, may be obtained by contacting: Brian Crumbaker, Hopping, Green and Sams, Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500, or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

NOTICE OF RECEIPT OF PETITION
SOUTHEASTERN COMMUNITY DEVELOPMENT
DISTRICT

On February 2, 2007, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Southeastern Community Development District (the "District"). A revision to the petition was submitted on February 14, and March 15, 2007. The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (F.A.C.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition, as revised.

SUMMARY OF CONTENTS OF PETITION: The petition, as revised, filed by The St. Joe Company requests the Commission establish a community development district located entirely within the City of Tallahassee, and unincorporated Leon County, Florida. The land area proposed to be served by the District comprises approximately 1,034.98 acres. A general location map is contained as Exhibit 1 to the petition, as revised, to establish the District. The proposed land area is generally located north of Tram Road, east of Capital Circle S. E. and south of Apalachee Parkway. There are two out-parcels located within the external boundaries of the proposed District to be excluded from the District. The current owners' names and addresses of the two out-parcels are contained in the petition, as revised. The Petitioner either owns or has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The current plans within the District boundaries envision approximately 1,184 single family homes, 222 townhomes, 28 villas, 451 apartments and 200,000 square feet of commercial and office space. The District plans to finance certain master infrastructure improvements within the

District boundaries. These improvements include roadways, entrance features, recreation improvements and storm water management facilities.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition, as revised, to establish the District. The complete text of the SERC is contained as Exhibit 8 to the petition, as revised. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the District, the State of Florida, the City of Tallahassee, and Leon County are principal entities that are likely to be required to comply with the rule. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur administrative costs. The City of Tallahassee and Leon County will incur costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to the City of Tallahassee and Leon County to offset any costs it may incur. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition, as revised, to establish the District will have no impact or a positive impact on small businesses. The petition, as revised, to establish the District will not have an impact on small cities or small counties as defined by Section 120.52(17), F.S., as the City of Tallahassee and Leon County

are not defined as a small city or small county. Under section (e), the analysis provided in the SERC was based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated with the developer.

A LOCAL HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, June 5, 2007, 9:30 a.m.

PLACE: Division of Administrative Hearings

(check the reception area for hearing room assignment)

The DeSoto Building

1230 Apalachee Parkway

Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Brian Crumbaker, (850)222-7500, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition, as revised, may be obtained by contacting: Brian Crumbaker, Hopping, Green and Sams, Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500, or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

NOTICE OF RECEIPT OF PETITION
THREE CREEKS COMMUNITY DEVELOPMENT
DISTRICT

On March 30, 2007, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Three Creeks Community Development District (the "District"). The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (F.A.C.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition, filed by The St. Joe Company, requests the Commission establish a community development district located entirely within the incorporated limits of the City of Port St. Joe, in Gulf County, Florida. The land area proposed to be served by the District comprises approximately 1,812.999 acres. A general location map is contained as Exhibit 1 to the petition to establish the District. The proposed land area is generally located on U.S. 98/S.R. 30 between S.R. 386 and the City of Port St. Joe. There are no parcels within the external boundaries of the proposed District which are to be excluded from the District. The Petitioner has obtained written consent to establish the District from the landowners of 100% of the real property located within the proposed District. The proposed infrastructure plan consists of roadways; landscaping, irrigation and entrance features; recreation; stormwater management; and potable water and sanitary sewer.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 8 to the petition. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the District, the State of Florida, and the City of Port St. Joe are principal entities that are likely to be required to comply with the rule. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur administrative costs. The City of Port St. Joe and Gulf County will incur costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to the City of Port St. Joe and Gulf County to offset any costs it may incur. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to establish the District will have no impact or a positive impact on small businesses. The City of Port St. Joe has a population of 3,644 and is therefore defined as a "small" city according to Section 120.52, F.S. The petition to establish the District will not unduly burden the City of Port St. Joe by the development of land within the District and any impact will be mitigated by the additional tax, shared and other revenues available to the City to provide municipal services. Under section (e), the analysis provided in the SERC was

based on a straightforward application of economic theory. Input was received from the Petitioner’s engineer and other professionals associated with the Petitioner

A LOCAL HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, June 1, 2007, 10:00 a.m. (EDST)

PLACE: County Administration Office

Board Room

1000 Cecil G. Costin Senior Boulevard

Port St. Joe, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Brian A. Crumbaker, (850)222-7500, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Brian A. Crumbaker, Hopping, Green & Sams, P.A., 123 South Calhoun Street, Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500, or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on April 30, 2007, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)

- 9961 Supports denial, establish a hospice program, Manatee County, HCR Manor Care Services of Florida, Inc., (PRH) Tidewell Hospice and Palliative Care, Inc.
- 9961 Supports denial, establish a hospice program, Manatee County, HCR Manor Care Services of Florida, Inc., (PRH) The Hospice of the Florida Suncoast, Inc.
- 9963 Supports denial, establish a hospice program, Manatee County, Odyssey Healthcare of Manatee County, Inc., (PRH) The Hospice of the Florida Suncoast, Inc.

- 9963 Supports denial, establish a hospice program, Manatee County, Odyssey Healthcare of Manatee County, (PRH) Tidewell Hospice and Palliative Care, Inc.
- 9964 Approval, establish a hospice program, Manatee County, The Hospice of the Florida Suncoast, Inc., (PRH) Tidewell Hospice and Palliative Care, Inc.
- 9965 Supports denial, establish a hospice program, Collier County, Evercare Hospice of Collier County, (PRH) Hospice of Naples, Inc.
- 9966 Supports denial, establish a hospice program, Collier County, Odyssey Healthcare of Collier County, (PRH) Hospice of Naples, Inc.
- 9967 Supports denial, establish a hospice program, Collier County, Hope Hospice and Community Services, Inc. f/k/a Hope of Southwest Florida, Inc., (PRH) Hospice of Naples, Inc.
- 9968 Supports denial, establish a hospice program, Collier County, Odyssey Healthcare of Collier County, Inc., (PRH) Hospice of Naples, Inc.
- 9969 Approval, establish a hospice program, Collier County, Vitas Healthcare Corporation of Florida, (PRH) Hospice of Naples, Inc.
- 9972 Supports denial, establish a hospice program, Manatee County, Samaritan Care Hospice of Manatee, Inc., (PRH) Tidewell Hospice and Palliative Care, Inc.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**NOTICE OF AVAILABILITY
MARATHON, FLORIDA**

The Department of Environmental Protection has determined that the City of Marathon’s proposed project for the construction of a regional stormwater system will not have a significant adverse impact on the environment. The total project cost is estimated at \$13.7 million. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Tim Banks, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comment deadlines and the address for

providing comments are available at: <http://appprod.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

NOTICE OF FLORIDA COASTAL MANAGEMENT PROGRAM – ROUTINE PROGRAM CHANGE REQUEST

A routine request to update the approved Florida Coastal Management Program (FCMP) has been submitted to the federal Office of Ocean and Coastal Resource Management (OCRM), of the National Oceanic and Atmospheric Administration (NOAA). The Department of Environmental Protection has determined that the proposed program changes are a routine program change as defined by 15 CFR 923.84. These proposed changes seek to update all statutes which are part of the list of statutes that make up the FCMP. These include: Chapter 161, Florida Statutes (F.S.), Beach and Shore Preservation; Chapter 163, Part II, F.S., Growth Policy; County and Municipal Planning; Land Development Regulation; Chapter 186, F.S., State and Regional Planning; Chapter 252, F.S., Emergency Management; Chapter 253, F.S., State Lands; Chapter 258, F.S., State Parks and Preserves; Chapter 259, F.S., Land Acquisitions for Conservation or Recreation; Chapter 260, F.S., Recreational Trails System; Chapter 267, F.S., Historical Resources; Chapter 288, F.S., Commercial Development and Capital Improvements; Chapter 334, F.S., Transportation Administration; Chapter 339, F.S., Transportation Finance and Planning; Chapter 370, F.S., Saltwater Fisheries; Chapter 372, F.S., Wildlife; Chapter 373, F.S., Water Resources; Chapter 375, F.S., Multipurpose Outdoor Recreation; Land Acquisition, Management, and Conservation; Chapter 376, F.S., Pollutant Discharge Prevention and Removal; Chapter 377, F.S., Energy Resources; Chapter 380, F.S., Land and Water Management; Chapter 381, Sections 381.001, 381.0011, 381.0012, 381.006, 381.0061, 381.0065, 381.0066, and 381.0067, F.S., Public Health; General Provisions; Chapter 388, F.S., Mosquito Control; Chapter 403, F.S., Environmental Control; and Chapter 582, F.S., Soil and Water Conservation.

This routine program change will incorporate all statutory changes to the referenced statutes enacted by the Florida Legislature during the 2006 legislative session. Staff have evaluated these changes pursuant to 15 CFR 923.80(c) and concluded that the changes are not amendments to the FCMP. These changes will not result in any substantial change to the enforceable policies or authorities of the FCMP related to uses

subject to management, special management areas, boundaries, authorities and organization, or coordination, public involvement and national interest.

This notice has been sent to affected parties, including affected local governments, state agencies, and regional offices of relevant federal agencies as required by 15 CFR 923.84(b)(2). A list of persons and organizations notified is available for inspection or can be provided at cost upon request from the FCMP.

Pursuant to 15 CFR 923.84, comments on whether the changes constitute routine program change of the FCMP may be submitted to John King, NOAA/OCRM, Coastal Programs Division N/ORM3, Suite 11305, 1305 East-West Highway SSMC4, Silver Spring, MD 20910 within 21 days of the date of publication of this notice.

For more information on this Routine Program Change, please contact: Mr. Danny Clayton, Department of Environmental Protection, Florida Coastal Management Program, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, (850)245-2161.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On May 2, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Donna Rae Bean, R.N., license number RN 2728862. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On May 2, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Mark Koller, R.N., license number RN 2920752. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6),

Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On May 3, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jacqueline Erin McKenna, L.P.N., license number PN 5161139. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On May 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jill Elizabeth Callinan, R.N., license number RN 9237585. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On May 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Robert D'Arezzo, R.T., license number RT 8352. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety

and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On May 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Oluwatosin Gbenga Esan, L.P.N., license number PN 5159281. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On May 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lorri C. Kisiah, R.N., license number RN 9183812. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Susan Ann Pelletier, R.N., license number RN 2939382. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6),

Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

AVAILABILITY OF DRAFT MANAGEMENT PLAN

The Florida Fish and Wildlife Conservation Commission at its June 2006 meeting determined that delisting (removing from the imperiled species lists) the bald eagle (*Haliaeetus leucocephalus*) was warranted, and directed the development of a management plan. Delisting will not occur until delisting rules in the proposed plan are approved by the Commission. A draft management plan for the bald eagle has been prepared,

and the Commission is now requesting written comments regarding conservation recommendations and expected economic, social, environmental and ecological impacts of implementing the management plan. Copies of the draft management plan are available at <http://myfwc.com/imperiled/species/petitions.htm>. Written comments should be addressed to Bald Eagle Management Plan, 1239 S. W. 10th Street, Ocala, Florida 34474-2797, or submitted to eagle_plan@myfwc.com. Comments will be accepted until 11:59 p.m., July 2, 2007. Florida has a broad public records law. Your written communications, including e-mails, are public records subject to public disclosure.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN April 30, 2007
and May 4, 2007**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

5M-2.004	5/3/07	5/23/07	33/9	
5M-5.004	5/3/07	5/23/07	33/9	
5M-7.002	5/3/07	5/23/07	33/9	
5M-7.004	5/3/07	5/23/07	33/9	
5M-8.004	5/3/07	5/23/07	33/9	

DEPARTMENT OF EDUCATION
State Board of Education

6A-4.0021	5/1/07	5/21/07	33/11	
6A-20.019	5/1/07	5/21/07	33/11	

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

9B-3.047	5/1/07	5/21/07	33/9	
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WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District

40C-3.035	5/4/07	5/24/07	33/14	
40C-8.031	5/4/07	5/24/07	33/14	

REGIONAL UTILITY AUTHORITIES
Tampa Bay Water – A Regional Supply Authority

49B-1.008	5/2/07	5/22/07	33/10	
49B-1.011	5/2/07	5/22/07	33/10	
49B-1.0131	5/2/07	5/22/07	33/10	
49B-2.038	5/2/07	5/22/07	33/10	
49B-3.001	5/2/07	5/22/07	33/10	
49B-3.002	5/2/07	5/22/07	33/10	
49B-3.003	5/2/07	5/22/07	33/10	
49B-3.004	5/2/07	5/22/07	33/10	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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AGENCY FOR HEALTH CARE ADMINISTRATION
Health Care Cost Containment Board

59E-7.012	5/2/07	5/22/07	33/6	
59E-7.014	5/2/07	5/22/07	33/6	

Medicaid Program Office

59G-4.060	5/1/07	5/21/07	33/5	33/13
59G-5.020	5/4/07	5/24/07	33/8	33/14

DEPARTMENT OF MANAGEMENT SERVICES
Agency for Workforce Innovation

60BB-8.100	5/4/07	5/24/07	32/38	33/14
60BB-8.200	5/4/07	5/24/07	32/38	33/14
60BB-8.201	5/4/07	5/24/07	32/38	33/14
60BB-8.2015	5/4/07	5/24/07	32/38	33/14
60BB-8.202	5/4/07	5/24/07	32/38	33/14
60BB-8.204	5/4/07	5/24/07	32/38	33/14
60BB-8.300	5/4/07	5/24/07	32/38	33/14
60BB-8.301	5/4/07	5/24/07	32/38	33/14
60BB-8.305	5/4/07	5/24/07	32/38	33/14
60BB-8.400	5/4/07	5/24/07	32/38	33/14
60BB-8.451	5/4/07	5/24/07	32/38	33/14
60BB-8.900	5/4/07	5/24/07	32/38	33/14

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Code Administrators and Inspector

61G19-5.007	5/2/07	5/22/07	33/13	
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Board of Accountancy

61H1-22.0086	5/4/07	5/24/07	33/13	
61H1-27.002	5/4/07	5/24/07	33/13	
61H1-33.001	5/4/07	5/24/07	33/13	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-730.020	5/1/07	5/1/07	33/7	
62-730.021	5/1/07	5/1/07	33/7	
62-730.030	5/1/07	5/1/07	33/7	
62-730.160	5/1/07	5/1/07	33/7	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-730.170	5/1/07	5/1/07	33/7		Board of Orthotists and Prosthetists				
62-730.180	5/1/07	5/1/07	33/7		64B14-3.001	5/3/07	5/23/07	32/45	
62-730.181	5/1/07	5/1/07	33/7		FISH AND WILDLIFE CONSERVATION COMMISSION				
62-730.183	5/1/07	5/1/07	33/7		68-1.003	5/2/07	5/22/07	33/10	
62-730.185	5/1/07	5/1/07	33/7		Freshwater Fish and Wildlife				
62-730.200	5/1/07	5/1/07	33/7		68A-15.062	5/2/07	7/5/07	33/10	
62-730.220	5/1/07	5/1/07	33/7		FINANCIAL SERVICES COMMISSION				
DEPARTMENT OF HEALTH					OIR Insurance Regulation				
Board of Clinical Laboratory Personnel					69O-149.037	5/4/07	5/24/07	32/51	
64B3-13.001	5/4/07	5/24/07	33/10		<hr/>				
Board of Nursing									
64B9-7.001	4/30/07	5/20/07	33/12						
Board of Opticianry									
64B12-9.016	5/4/07	5/24/07	32/50	33/14					